

AN
IMPARTIAL HISTORY
OF THE LATE
REVOLUTION IN FRANCE,
FROM
ITS COMMENCEMENT
TO THE
DEATH OF THE QUEEN,
AND THE
EXECUTION OF THE DEPUTIES
OF THE
GIRONDE PARTT.

IN TWO VOLUMES.

VOL. II.

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IMPERIAL HISTORY

OF THE

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REVOLUTION IN FRANCE

ITS COMMENT

TO THE

DEATH OF THE QUEEN



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IMPARTIAL HISTORY, &c.

C H A P. VII.

Dispatches from Vienna—from Sardinia—Abolition of ecclesiastical distinctions—Rejection of some newly discovered islands—Insolent answer from Vienna—Declaration of war—Unfortunate expeditions against Tournay and Mons—Murder of M. T. Dillon—Attack of Furnes—Resignation of M. Rochambeau, and appointment of M. Luckner to the command of the northern army—Austrians attack Bavay—Progress and successes of M. la Fayette's army—Death of M. Gouvion—Decrees passed in the assembly—Machinations of the republican party—New decree against refractory priests—Negatived by the king—Decree for a camp near Paris—The king again interposes his veto—Dismission of the Jacobin Ministry—Disturbed state of Paris—Letter of M. la Fayette—Resignation of the ministry—Outrages of the 20th of June—M. la Fayette repairs to Paris—Successes of the French in the Netherlands—Their retreat—Union of parties—Arrival of the federates—Confederation—Change of ministers—Country proclaimed in danger—New levies—Outrages of the Marsellois—False accusation against La Fayette—Decision of the assembly in his favour—Resignation of the directory of the departments

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Procla-

—*Proclamations of the combined courts and the duke of Brunswick—Petition for deposing the king.*

THE dispatches which were received, in answer to the requisition made by M. Delessart to the court of Vienna, and which were submitted to the assembly on the 29th of March by the new minister, M. Dumourier, amounted almost to a declaration of war. Prince Kaunitz, in a memorial dated 18th of March, in the name of his master, the king of Hungary, began with stating, that the king had fully adopted the political system of the late emperor, and would explain himself with that frankness which became a great power. He recriminated on the French the charge of assembling troops upon the frontiers; and added, that the king of Hungary and the princes of Germany might perhaps think it necessary to assemble still greater numbers to maintain their internal peace against the example of France, and the criminal machinations of the Jacobins. The rest of the paper was in a similar style of haughtiness and outrage, and concluded with observing that the sound and principal part of the nation, in other words, the aristocratic faction, would consider as a consoling prospect the existence of a *concert*, the views of which were worthy of their confidence. Notwithstanding the indignation which so insolent an address must necessarily have produced, M. Dumourier, with great temper and magnanimity, entreated the assembly to wait in tranquillity for the categorical answer of the court of Vienna, which he expected in the course of a few days: and this recommendation of the minister was unanimously assented to.

The vigorous and spirited conduct of M. Dumourier extracted from the king of Sardinia a more moderate and favourable reply. He assured the minister in general terms, that his troops were actually below the peace establishment, and that he permitted no hostile assemblages of the emigrants within his dominions.

We

We have already expatiated on the general character of the second national assembly, and we shall soon have too many instances to record in confirmation of its imbecility. An attention to trifles has marked too many of its deliberations, and such an attention is the surest mark of incapacity. Of the absurdity of admitting the populace to the galleries of the assembly, permitting them to applaud the speakers, and in a manner to take a part in the deliberations, it would be unjust to accuse this body, since it was among the errors of the constituent assembly; but certainly no one circumstance has contributed more to the misfortunes of France. It was easy for any active and unprincipled faction to assemble a mob, and fill the galleries, when any measure was either to be carried or resisted. But this was not the whole extent of the evil; the vanity incident to human nature in general, and which has been considered as characteristic of Frenchmen, converted the legislators of a great nation into mere actors; their debates consisted more of popular declamation than of wise and temperate inquiry, and their speeches were addressed to the ears of the galleries rather than to the understandings of the deputies: connected with this destructive mode of proceeding has been the practice of voting decrees and resolutions by acclamation; a practice which utterly excluded all the influence of reason, and which was more adapted to the pastimes of children than the deliberations of philosophers or legislators.

A singular instance in confirmation of these reflections occurred on the 6th of April, when the committee of public instruction having moved the suppression of the monastic orders, one of the popular ecclesiastics, to entrap the applause of the galleries, moved an additional decree to abolish all distinction of dress both ecclesiastical and monkish. A most indecent scene followed this motion—bishop Fauchet pulled off his *calotte*, and another bishop deposited his cross of gold upon the table as a patriotic gift—Many irreligious allusions were indulged in, and it was solemnly

lemnly decreed by the legislature of a great nation, that all ecclesiastical marks of distinction, except in the celebration of divine worship, should be abolished.

The assembly on the 19th afforded an example of more enlightened and liberal policy. In the evening sitting, a letter was read from Messrs. Baur, merchants of Marseilles, which announced that M. Marchand, commander of the Solide, had discovered four new islands in the Indian seas, of which he had taken possession in the name of the French nation, and of Louis XVI. The islands were full of people, and abounded in animal and vegetable productions. The speech of M. Luefnay, on this occasion, is worthy of being recorded.

"It is a great problem," said he, "whether the discovery of America has been useful to Europe; but certainly America has greatly suffered by the discovery. The islands discovered by M. Marchand are peopled—if there was but one man there, he is master of the isle which he inhabits. With what right can a people, who renounces all conquest, take possession of an island which does not belong to them by any possible title? Gentlemen, the moment to prove our attachment to the principles of our constitution is come. Let others, if they please, carry to these savage islands, as they have been hitherto denominated, the arts, the riches, and the vices of Europe! Let us remain faithful to our declaration of the rights of men, and let us take care not to make an attack on the natural liberty, which we have recognized, and which we have been the first to proclaim."

This opinion was crowned by general plaudits, several times reiterated, and the assembly closed the discussion.

The period now approached when the interested and barbarous politics of a combination of despots was to deluge Europe with blood, to bring on a great and populous nation the most dreadful outrages, and to involve in the general ruin a benevolent and pious prince, whose only crime, if he was really guilty

ty of any, was being the dupe of their criminal intrigues.

What the caution of Leopold would at least have deferred, was precipitated by the ardour and violence of a young king. Yet even he (if we may credit the representation of M. Noailles, the French ambassador at Vienna) was urged to a premature declaration of his intentions by the court of Berlin. What the object of that court could be is not easy to conceive—Its dominions did not border upon France, nor was the *military* government of Prussia likely to be deranged by the extension of democratic principles. Two objects only present themselves to our imagination, and on one of them conjectures must rest. It must have had in contemplation either the acquisition of territory from the dismemberment of France, or the still more insidious design of contributing further to the humiliation of Austria, by the probability of its losing again in the contest, should they not prove victorious, the Belgic provinces which had been so lately reconquered.

The dispatch of M. Dumourier to the King of Hungary was accompanied by an affectionate letter in the king's own hand-writing to his nephew, entreating him by every motive to stop the effusion of blood, and assuring him that the conflict could only prove ultimately fatal to him, the king of France. With so little success however was this application attended, that the reply of the imperial minister seemed only to breathe an increased spirit of insolence and pride. The minister avowed openly the concert of princes against the constitution of France, and insisted upon certain terms, upon which alone the courts of Berlin and Vienna could withhold from hostilities. These terms were—first, to guarantee the feudal rights of the German princes in Alsace and Lorraine; secondly to restore Avignon to the pope; and the third condition was the most singular of all, since, as it was indefinite, it must be modified according to that construction which the demandants might prefer, and was incapable

ble of any other definition. The terms of the condition were, "That the neighbouring powers shall have no reason for the apprehensions which arise from the present weakness of the internal government of France." For the rest, M. de Noailles was referred to the official note of the 18th of March, which has been already noticed.

As the intentions of the combined courts could be no longer doubted, it was resolved in council to declare war against the king of Hungary. Perhaps, notwithstanding the provocation which had been given to the French nation, it would still have been most politic to have been less precipitate, and to have compelled Austria to appear in every view in the character of the aggressor. Such at least we are assured was the opinion of M. la Fayette, whose judgment appears in general to have been sound, and whose patriotism none but a violent and desperate faction has ever presumed to question. The proposal for a declaration of war was made, by the French king, to the assembly on the 20th of April, when war was decreed against the king of Hungary and Bohemia, amidst the applauses of the whole legislative body, and of a numerous crowd of spectators*.

The motives alledged by the French nation, in their declaration for commencing hostilities, were—

That the court of Vienna, in contradiction to repeated remonstrances, continued to grant open protection

* It was utterly inconsistent with all the former public professions of the French nation to have been thus precipitate in declaring war. A state of war is the summit of human calamities; and any people who have the least regard to humanity, religion, or the rights of man, ought to be extremely cautious and averse to bringing such a dreadful calamity on the human race. "Only by pride cometh contention," says Solomon. Pride is the passion of fools, and national pride is the most foolish form of it. How often is the absurd and fancied dignity of nations the cause of murder and every species of injustice! The French evinced that they were *not a nation of philosophers*, when they entered thus hastily into war. From the despotic courts nothing of virtue and goodness could be expected; we therefore forbear to censure them.

REVOLUTION IN FRANCE.

7

tection to the rebel subjects of France, who were preparing to carry fire and sword into the bosom of their country.

That it excited and formed a concert of princes against the independence and liberty of France.

That the king of Hungary and Bohemia, in his official notes of the 18th of March and 7th of April, openly avowed, and refused to renounce this concert.

That notwithstanding the proposal made to him on the 11th of March, to reduce on both sides the troops on the frontiers to a peace establishment, he continued and increased his hostile preparations.

That he insulted the sovereignty of the French nation, by presenting to it conditions as the only terms by which peace was to be obtained, among which was the confirmation of the feudal rights of the German princes, having possessions in France, though the French nation has always continued to hold out indemnifications to them.

Besides these instances, the French declaration mentions the contempt with which the ultimate requisition of the king was received, in not condescending to answer it, &c. The assembly declares solemnly its intention of adhering to the principles of the constitution, in not undertaking any war of conquest, and hopes that, under the present provocations, the nations of Europe will not consider the war which they are now obliged to commence in defence of their liberties as an infringement of that principle.

Among the most powerful motives which impelled the politicians of France to hasten the commencement of hostilities, we must certainly consider the probable expectation they formed of a ready reception and powerful support from the Belgic provinces, which had so lately been in a state of revolt, and were, at this period, scarcely reconciled to the dominion of Austria. The operations of the campaign were precipitated also upon this account, and their hasty and ill-concerted measures were attended with the success that might reasonably be expected. The reader has already

ready anticipated the unfortunate repulse from Tournay, and the disgraceful consequences of that event.

Perhaps the specific mode in which the Austrians were to be attacked, was not much better concerted than the general plan—Perhaps it would have been most conducive to success to have united the whole of their raw undisciplined troops under one able general, in whom they could have had a complete confidence, and to have made one bold effort where the enemy appeared most vulnerable. On the contrary, their untrained soldiers were parcelled out in small divisions, under commanders with whose merits they were little acquainted, and some of whom were actually suspected of disaffection to the popular cause. In pursuance of this plan, the object of which was to divide the enemy's forces, on the 28th of April three parties of French entered the Austrian Netherlands in different parts. A body consisting of ten squadrons of cavalry, under the command of M. Theobald Dillon, an able and experienced officer, and a field marshal, was directed to march from Lisle for Tournay. Another of 10,000 men, under lieutenant general Biron (formerly the duc de Biron), was to present itself before Mons, in order to prove the dispositions of the Austrian soldiers, and still more of the inhabitants of the country, from whom considerable aid was expected; and a third detachment of 1,200, under the command of M. Carl, was to proceed to Furnes. Valenciennes was the place of general rendezvous for the troops which marshal Rochambeau was to draw from the garrisons, to support the body under M. Biron.

In almost every instance, the French appear to have had bad intelligence, and to have been deceived both as to the numbers and the disposition of the enemy. At Tournay M. Dillon found a strong body under general count d'Happencourt ready to receive him, and strongly posted. The national troops, not yet accustomed to sustain the fire of regular soldiers, were thrown into disorder almost on the first attack

attack. The general made every exertion to reduce them to their duty, and was observed in the front of the line, exhorting them to keep their ranks. Unfortunately in the midst of the confusion, some person actuated either by cowardice or treachery, exclaimed,—“ Sauve qui peut !” and the voice appeared to proceed immediately from the spot where M. Dillon stood. The suspicious and irritable temper of the French was instantly excited ; a general cry of “ Treason, treason, we are betrayed !” spread from rank to rank ; the panic became universal, and the whole party fled before the pursuers in the utmost disorder, even to the gates of Lisle. The unfortunate commander, M. Dillon, was murdered almost as soon as he entered the city, and his dead body was torn to pieces by the soldiers and the mob. Their savage fury had scarcely satiated itself upon this victim of popular delusion, before a party of the royal Cravate (a regiment of cavalry) rushing precipitately towards Lisle, overtook M. Berthois, an officer of engineers, beyond the Porte de Five. They no sooner saw him, than some of them exclaimed, “ There goes another of these traitors !” and instantly fell upon the unhappy gentleman, who, after receiving several shots, fell from his horse ; and the body being suspended from a lamp-iron, every soldier in the party discharged his piece at it as he passed. It was also said, that M. Chaumont, aid de camp to general Dillon, a priest under the suspicion of being a spy, and four Tyrolese prisoners, were murdered. It however afterwards appeared that M. Chaumont had only been missing, having been left for dead upon the field of battle. That one or two persons besides the general and M. Berthois, lost their lives in the affray, we are disposed to believe ; but that they could not be prisoners, is certain, since the truth is, that the retreat of the French was so precipitate that no prisoners were taken.

The division under M. Biron took possession of Queivrain on the 29th, without opposition, and march-

ed towards Mons in three columns. The general reached Bossu without meeting any person except some travellers, who informed him of a grand movement of the Austrians. At the end of the village of Bossu, he was opposed by some hulans, whom he dispersed by a few discharges of cannon. As soon as he came in sight of Mons, he could discover that the heights before the city were occupied by a very considerable body of troops, advantageously posted, which it appeared afterwards, were commanded by the baron de Beaulieu. The Austrians, it was evident, were more numerous than the French, and the general could discover some manœuvres which announced an intention to turn his right. Thus situated, M. Biron determined to wait the news of the attack towards Tournay. About five in the evening, however, the enemy attacked a part of his right wing at the village of Vannes. The French conducted themselves with great skill and firmness, and the Austrians were repulled with some loss.

At length M. Biron received information from marshal Rochambeau of the defeat of general Dillon, and determined to retreat in the morning. Towards ten o'clock at night he saw the 5th and 6th regiments of dragoons mounted on horse-back without orders, and proceeding to the left of the camp, where they formed a column. He pursued them alone and unarmed, but was carried away with the column, which was in a quick trot, and crying out, they were betrayed. In this manner the general was carried for more than a league, before he could prevail on his flying troops to obey him. He succeeded at length, and brought them all, except thirty or forty, back to the camp: but the deserters proceeded on to Valenciennes, reporting, that they were betrayed by M. Biron, who had deserted to Mons. On the 30th at day-break M. Biron began his retreat, and arrived without molestation at Quievrain. Here he left M. Fleury with a part of the troops, and went to conduct the army to the camp they had occupied before Quievrain.

verechain. He scarcely, however was arrived at this place, before the battalion, of national guards, who covered Quievrain, were dispossessed by the hussars. M. Biron now conceived that the only means of saving the camp was to attack Quievrain, which he did with the 49th regiment, and carried it; but to keep it, some support was necessary; and the rest of the army, and the infantry in particular, were so exhausted with fatigue, that they were utterly unfit for service. The general therefore found himself under the necessity of abandoning his camp and train to the enemy, and of making a precipitate retreat to Valenciennes. Marshal Rochambeau posted himself with some squadrons on the heights of St. Sauve to favour the retreat, which was accomplished happily without a repetition of the disgraceful scene which had been acted at Lisle. The French sustained a considerable loss in this expedition, but more by hunger and fatigue than by the sword of the enemy.

The only one of the three parties, which succeeded, was that under M. Carl, and which consisted of only 1400 infantry and 240 cavalry. This small party presented themselves on the 29th of April before Furnes, and the commander desired a conference with the magistrates; in the course of which, he informed them, that the French were not come to make war on the Flemings, but to treat them as friends and brothers. The magistrates offered to deliver up the keys of the gates, but this was declined. The failure of the general plan obliged M. Carl to retreat to Ghywilde, and soon after to Dunkirk, with no other fruit from his expedition.

So ill concerted had the measures of the French ministry been, that M. Rochambeau complained that "the plan of M. Biron's expedition was published in all the journals before he knew it officially;" and says, in his letter to the king, that "the ministers, and particularly the minister of war, wished to play the whole game, and made him only a piece to be moved about

at will." On this account, and because he disapproved of offensive war, he desired permission to resign; and after some delay, marshal Luckner was appointed to the command of the northern army in his stead.

The news of the atrocities committed at Lisle were received at the capital with a universal sensation of horror; nor was the army under M. la Fayette less earnest in expressing its abhorrence, and in demanding justice on the murderers. The mention of this army leads us naturally back to the narrative of its operations. It was a part of the plan concerted in the French cabinet, that all the French troops should be in motion about the same time, and form, if possible, a general rendezvous in the centre of the Austrian Netherlands. Agreeably to this plan, M. la Fayette was to be at Givet by the 30th of the month; and though the orders only reached him on the 24th, and though he was in most respects very ill appointed, he was, by great exertions, enabled to provide seventy-eight pieces of cannon by the 26th, and on the same day dispatched a large body with the convoy of artillery, under the command of M. Narbonne, late minister of war, to penetrate by forced marches to Givet. It was a wonderful instance of activity in military operations, that M. Narbonne, with a heavy train of artillery, performed a march of fifty-six leagues, over ground generally bad, and which he had not had time previously to examine, in five days. The rest of the troops were equally punctual; and after driving in the patrols of the enemy arrived without loss on the appointed day. On the 1st of May major-general Gouvion took post at Bouvines, half way to Namur, and every thing appeared to conspire to crown this expedition with success. The failure of M. M. Biron and Dillon, however, rendered it utterly fruitless, though M. la Fayette continued to retain his post, and even slowly to advance upon the enemy.

Notwithstanding the repulse of the French northern army, on their attempt to penetrate the Austrian frontier, it was some time before the enemy was in a condition

condition to retaliate. On the 17th of May a body of Austrians, to the amount of three thousand, attacked Bavai, and took the garrison, amounting to eighty men, prisoners; but intelligence was no sooner brought of the attack, than M. Noailles with a van guard of cavalry was sent to the relief of the town. Marshal Luckner in person accompanied this advanced guard; and marshal Rochambeau followed to support him with a body of infantry. The expedition of the Austrians was, however, only a predatory excursion, and they had retreated two hours before the arrival of M. Luckner, and took with them a quantity of forage, which, in effect, appeared to be their principal object.

We left the army of M. la Fayette occupying a tract of country from Givet to Bouvines, and rather gaining ground gradually on the enemy. On the 22d and 23d of May, the advanced guard under M. Gouvion was employed in foraging, which, though attended with success, was also productive of considerable fatigue. On the 23d M. Gouvion was attacked at Hamphine, near Florennes, by a force, as it afterwards appeared, superior to his own, which amounted to only four thousand men. The Austrian advanced guard were twice repulsed; but M. Gouvion observing the great superiority of the enemy, gave orders to dispatch his camp equipage to Philipville; and this was effected with the loss of only twenty tents, which he had not the means of transporting. After this precaution, M. Gouvion effected a retreat with the utmost regularity. The French in this action had twenty-four killed and sixty-three wounded, and lost three pieces of cannon.

The next action in which this army was engaged, though it was crowned with victory, was yet unfortunate for France, as it deprived the nation of one of its ablest generals and firmest patriots. On the 11th of June the Austrians attacked the advanced guard of M. la Fayette, at Grifelle near Maubeuge; but M. Gouvion, who commanded, aware of their design, dispatched

dispatched his camp equipage to Maubeuge, and began a retreating fight, in which his infantry was constantly covered by the hedges, and the enemy's columns suffered considerably from his cannon. A violent hurricane prevented the main body from hearing the signals, but as soon as the news arrived at the camp a considerable reinforcement was conducted by M. Narbonne on the flank of the enemy; while M. la Fayette himself advanced with the main army. The Austrians abandoned the field, and a part of their killed and wounded, to the French, who pursued them more than a league beyond the ground of their advanced guard, which again took possession of its former post.

In the course of the action the lieutenant colonels of the regiment of Côte d'Or were killed; and M. Gouvion, enraged that an ammunition chest did not come up in time, went to expedite it with an hussar, towards a house not in sight of the enemy, and there by a most fatal accident was killed by a rolling bullet.

The desertion of the 4th regiment of hussars, and some other soldiers from Strasburgh, served to raise the hopes of the emigrants in favor of the probability of a counter-revolution. Their hopes, however, in this instance were ill founded, as it appears that the soldiers had been persuaded, by false pretences of their officers, and that a considerable number, when informed of the delusion, returned to their duty.

The concerns of the war, and the contests of party, occupied the national assembly so completely, that little was effected in the business of legislation from the commencement of the year. The decree which ordered the burning of the parchments, writings, and pictures, relative to the pedigrees of the nobility, was a further instance of that trifling spirit, so utterly disgraceful to the legislature of a great nation, which they already had frequently evinced. A decree passed about the same period, for educating at the expence of the nation those children who had been sent from

from St. Domingo to France, but whose parents or relations had been disabled by the troubles from remitting money for their support, was truly laudable. Some laws were also made respecting the crime of desertion, which, unless we consider them as adapted entirely to the exigencies of the time, must be accounted too severe for *even the military* code of a free country. The decree, however, for the suppression of privateering was calculated in every view to reflect honour on a civilized nation. War is a state so naturally pregnant with evil, as to induce the benevolent mind to wish for every mitigation of its calamities; and the plunder of individuals is a shameful practice, calculated entirely to pervert the morals of a people, and to render them in every instance sanguinary and ferocious.

We have now to report a series of transactions, equally disgraceful and ruinous to France. When treating of the flight of the king, we intimated that the kingdom was not in a state to bear a second revolution. It was impossible, in the clash of parties, that there should not be a subversion of order and of property. It was impossible that a new government, in many instances opposite to all former principles, should be established without the most violent convulsion of the whole state. The first constitution was a sufficient deviation from the habits and prejudices of the French; it was as much as could be endured; and to attempt to carry further the democratic scheme, was to sacrifice the liberty they had already achieved.

The republican party thought differently; and they did not foresee that they must themselves shortly lose the power which they were about to assume by unjustifiable means, and that men of still more daring views and dispositions would be enabled to take the lead, and to follow their example in forcibly excluding them from that authority which they occupied. These were consequences which they did not foresee, but which they might have anticipated, had they studied

studied history rather than metaphysics, and looked upon the manners of mankind rather than on theories of government.

The designs of this party, almost from the first meeting of the new assembly, had evidently tended to the dethroning of the king, and the establishing of a republic. The Jacobin clubs instituted in all the principal cities of the kingdom, and linked together by an intimate correspondence, constituted the great engine by which the public sentiment was to be changed. The press overflowed with productions abusive of royalty; the private characters of the reigning family were publicly calumniated; the sincerity of the king's acceptance of the constitution was questioned; and to keep the public mind in constant agitation, continual rumours were spread of his intending to quit the kingdom, and throw himself into the arms of the hostile powers.

The ascendancy of the Jacobins has been proved already in several instances. It was evinced in the late appointment of the ministry. On the resignation of M. de Grave, which soon followed the unfortunate affair of M. Dillon, M. Servan, another violent Jacobin, was added to the ministry, which in the beginning of May was entirely composed of that party. In thus driving before the storm, the king acted with prudence and propriety, but he endeavoured to stem it too soon. Perhaps the sanguine temper of M. Dumourier, and a fond reliance on his own great abilities, might make him the adviser of the king in these imprudent measures; perhaps the king might be wearied out with the continued insults to which he was exposed, and might determine upon one great and desperate effort to resume his lost authority. Be this as it may, it was not long before it was discovered, that there no longer existed that harmony and confidence between the members of the cabinet which was essential to the public safety; M. Dumourier was suspected of deserting his Jacobin friends, and was on most

occasions

occasions in an actual minority with M. Lacoste, the minister of marine.

The republican party in the mean time were indefatigable in exciting the suspicions and turbulent spirit of the factious metropolis. The existence of what they termed an Austrian committee, or a combination of courtiers to betray the republic to the house of Austria, was publicly asserted; and as the ex-ministers M. M. Montmorin and Bertrand were charged with being at the head of this combination, they determined on the prosecution of their calumniators. An unfortunate step which was taken by M. la Riviere, a judge of the peace, in citing M. M. Chabot, Bazire, and Merlin, three deputies of the assembly, and among the most clamorous of the detractors of M. Montmorin, to appear before him, rather injured the cause it was meant to serve. A decree of accusation was passed against M. la Riviere, and M. M. Gensonne and Brissot undertook to prove the existence of an Austrian committee.

As the character of the king was implicated in the calumny respecting this traitorous combination, he wrote himself to the assembly, requesting that the truth of the report might be fully investigated, and if destitute of foundation, that the base inventors of it might be brought to punishment—But such is the perverseness of mankind, that this interference of the king was censured as unconstitutional, and the application was heard only with a murmur of disapprobation.

On the 22d of May, M. M. Gensonne and Brissot brought forward their accusation against M. M. Montmorin and Bertrand; but their speeches were more replete with declamation than proof, and the only fact on which they could rest was a passage in a letter from M. Montmorin to the French minister at Vienna, in August 1791, in which he says, "The best men in the national assembly (viz. Barnave, Lameth, Dupont, &c.) and those who have the greatest influence, are now acting in concert with the true servants of

the king, to restore to his majesty the authority necessary to carry on his government." On the 1st and 2d of June, the ex-ministers submitted their defences in writing to the national assembly, who referred them to a committee.

As the rumour of the Austrian committee did not appear sufficiently to act upon the fears and suspicions of the multitude, and as there was an actual deficiency of evidence on that subject, another expedient was resolved on by the republican party, which appeared better calculated to promote their views. A report was industriously circulated, that on the 23d of May the king intended secretly to abscond from Paris; and to lend a colour to the fiction, M. Petion, the mayor, wrote to the commandant-general of the national guard, communicating his suspicions, and entreating him to employ every measure of observation and prudence. The letter of M. Petion produced an immediate reply from the king, directed to the municipality of Paris—His majesty treats the report as a new and horrible calumny, intended only to excite the people to insurrection, and to force him to quit the capital—He however assures them, that the efforts of these traitors shall be in vain. "While France," says he, "has enemies to encounter at home and abroad, it is in the capital my post is to be established. I commit myself," he adds, "without reserve, to the citizens of Paris and the national guard—Surrounded by them, and strong in the purity of my intentions, I shall wrap myself up in tranquillity, fearless of all events, &c."

M. Petion answered the letter of the king. He mentioned having received information from different quarters respecting the king's intended flight, but he omitted to specify the evidence on which he grounded his suspicion. From this circumstance therefore we are inclined to doubt the truth of the report. That the king, harrassed as he was by the factions of the metropolis, and the intrigues of the Jacobins, might indeed meditate a second flight, is by

by no means improbable; that even supposing the suspicion not well founded, M. Petion might receive information to that effect, either from ill-intentioned or credulous persons, is equally to be believed; but in either case, the evidence on which the fact rested should have been brought forward; the case should have been elucidated by every possible means, since an accusation, unsupported by proof, must according to every law of evidence be deemed a calumny.

The French character, however, we have too frequently had occasion to intimate, is particularly prone to be acted upon by jealousy and suspicion. Notwithstanding the defect of evidence which we have just noticed, the king's intention to withdraw himself appears to have obtained some degree of credit; and as the body guard, which had been allotted to the king, by the constitution, was particularly suspected of *incivism*, it was disbanded by a decree of the assembly on the 30th of May, and the province of defending the person of the king was committed to the national guard of Paris. A decree of accusation was also passed against the commandant M. Brissac. At the same sitting two of the deputies attached to the court, M. M. Frondiere and Calve, were committed prisoners to the Abbey, on a charge of insolent conduct towards the assembly.

The refusal of the king to sanction the decree against the refractory clergy, only served to provoke a measure of still greater severity and cruelty against these unhappy persons. On the 26th of May a decree was passed, authorising the banishment of any non-juring priest, on a petition presented to the directory of the district by twenty citizens. The ecclesiastic was, in such case, to declare to what foreign country he meant to retire, when he was to be furnished with a passport, and to quit the district within twenty-four hours. To this decree also the king, after some deliberation, affixed his veto.

The national guard of Paris did not escape the suspicions of the republican party. They still feared
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or affected to fear the Austrian committee. More therefore with a view to retain their power, and to preserve that controul which they had established over the measures of the court, than to protect the capital from its external enemies, it was proposed on the 6th of June by the military committee—"That a camp of twenty thousand men should be formed under the walls of Paris—that to complete this levy, every canton in the kingdom should be obliged to contribute five men, one of whom was to be a horseman; and that they were to assemble at Paris before the 14th of July, the day of the celebration of the general confederation, at which, to augment their patriotism, they were to assist." This proposal, which was first suggested by the minister of war, was received with infinite dissatisfaction by the national guard and volunteers of Paris; and as the object did not escape the penetration of the court, the king refused to sanction the decree.

Nearly about the same period, a proposal was made to the national assembly, by the section of Croix Rouge, that, as the necessity was urgent for arming the whole nation, in the present critical moment, and as the scarcity of fire-arms, and their immense price, rendered it impossible to many patriotic citizens to obtain a supply, the deputation requested the assembly to order an immediate fabrication of pikes over the whole surface of the empire. It was however, some weeks before the banditti of Paris was formally armed, in this manner, by a decree of the assembly—a decree which must ever be regretted as fatal to the cause of liberty.

Whether driven to desperation, or encouraged by the support which he experienced from some of the most respectable characters, and particularly from M. la Fayette, is uncertain; but the king seemed now determined spiritedly to vindicate his authority against his opponents. The event proved that this resolution was prematurely taken. He should have permitted his more violent adversaries more completely
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to expose themselves; he might even perhaps have made a selection from those who were not the most favourably disposed to the court, and, by friendly and ingenuous conduct, might have convinced them of the sincerity of his intentions, and might have made the best use of their influence with the people. The minister Roland was perhaps of this description; and as he carried with him to retirement the regret of many unimpeachable characters, we can only believe that he was himself deceived with respect to the intentions of the king, or that the monarch did not, at least, act that steadily upright part which the exigences of the times required.

On the other hand, it must not be denied that a numerous and active party, including some men of brilliant talents, though we think not of the soundest understanding, were determined on a republic; and they do not seem to have hesitated much about the means of accomplishing their purpose. It may therefore be doubted whether, if the king had temporized, the storm could have been averted. But however this may be, it certainly was the only mode of proceeding that could afford him a chance: this mode was (we think imprudently) rejected, and the king unsheathed the sword on the 12th of June, when he announced to the assembly the dismissal of the Jacobin ministry, M. M. Servan, Claviere, and Roland.—M. Dumourier was appointed minister of war, and was to be succeeded in the foreign department by the French envoy at Deux Ponts; M. Mourges succeeded M. Roland, and M. Naillac was some time after appointed minister of finance.

Previous to his dismissal, M. Roland had written a letter to the king which he afterwards published—the purport of which was, to press him to sanction the decrees concerning the banishment of the refractory clergy, and the camp near Paris. M. Roland also blamed the conduct of the king's guard, and represented to him that his proclamation, on its dissolution, in which he expressed the high satisfaction he had derived

rived from its services, was an impolitic measure. As a private communication to the king, the letter of M. Roland might be calculated to do good; but he ought not to have published it.

In the mean time every means were employed to render the king odious in the eyes of the people. An infamous incendiary of the name of Marat had even exhorted the populace to murder their sovereign. Every thing on that side was permitted with impunity, and every thing on the other suppressed or prosecuted. The most seditious addresses were received by the assembly. The inhabitants of the suburb of St. Antoine, accompanied by immense crowds of the lower rank from all parts, and all armed with pikes, and headed by a M. Santerre, a brewer, on the 9th of June, presented to the assembly an address, congratulatory on the decree for the camp; and twenty thousand armed men, in direct violation of the laws, filed off through the assembly.

It was impossible that men of reflection should not foresee the natural consequences of such proceedings; it was impossible that men of virtue should not feel indignant at such open violations of every good and sound principle. M. la Fayette, with more honesty perhaps than prudence, stepped forward on this occasion. He wrote a long letter to the assembly, dated from the camp of Maubeuge, the 16th of June, in which he draws a very formidable picture of the dangerous situation in which the nation was placed by the attempts of its enemies, foreign and domestic; he unveils the criminal designs of the Jacobin club, and attributes to that source of faction a considerable portion of the public calamities: he, at the same time addressed a letter to the king expressive of similar sentiments. If M. la Fayette was not well assured that the sentiments of his army concurred with the tenor of these letters, he should not have written them; if he was certain of the support of the military, he should have marched to Paris, and dispersed the traitors.

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The situation of ministers now became too dangerous to be any longer desirable. The politic Dumourier wished to retrieve a portion of his lost popularity, and again attempted to court the favour of the Jacobins. He made a positive demand of the king, either to sanction the decree for the camp near Paris, or to accept his resignation. The king remained steady to his purpose, and the minister resigned, and was followed by M. M. Morgues, La Coste, &c. On the 18th of June, a new appointment took place; major-general Chambon was appointed to the office of foreign affairs, M. Lajard, minister of war, and M. Montciel, president of the department of Jura, was appointed minister of the interior; the department of finance was still kept vacant. M. Dumourier, in a letter to the assembly, requested permission to repair to the army, and concluded by wishing that the fate of Gouvion might speedily demonstrate his attachment to his country.

The agitation produced by the letter of La Fayette, and the avowed determination of the banditti of St. Antoine to present an address to the king, demanding the sanction of the obnoxious decrees, the threats of the disaffected, that they would plant as the tree of liberty, "an aspin in the garden of the Tuilleries," prepared the minds of the citizens of Paris for some great event. On Monday the 18th of June, the Jacobin club declared their sittings permanent. Their meeting was tumultuous and outrageous in the highest degree. They proposed that M. La Fayette should be sent to Orleans as a traitor; and others wished a decree to be passed denouncing him an enemy to France, and inviting all *good* patriots to murder him. While such were the debates within doors at the hall of the Jacobins, their emissaries without were busily employed in exciting the people to insurrection, and it is to be lamented that their endeavours were but too successful. On the 20th of June, in the morning, M. Ræderer, the procureur general syndic, appeared at the bar of the national assembly, and

and informed them, that, contrary to the laws, there existed in the city and suburbs the most formidable association of armed men; that they threatened to proceed to the Tuilleries, to present a petition in arms, both to the king and the assembly. He entreated the legislature not to receive them, but to preserve the laws and the constitution inviolate.

While the assembly was debating whether this unconstitutional deputation should be received or not, an immense multitude, with M. M. St. Huruge and Santerre at their head, presented themselves before the hall. They amounted, by their own report, to 8000; but in all probability they were still more numerous. They consisted of all the refuse of Paris, a large proportion of them women, and carried standards expressive of the most seditious purposes, one of which was a heart at the end of a pike, with an inscription beneath it, *cœur d'un aristocrate*. After a tumultuous debate, they were admitted. The orator, at the head of the deputation, indulged in a long and violent speech against the king, and the whole conduct of the court; and, as soon as he had concluded, the whole party marched through the hall—The procession lasted two hours; and in the end, M. Santerre presented the president with a banner, in return for the honour conferred on the inhabitants of St. Antoine.

In the mean time an immense crowd had collected round the palace and the garden of the Tuilleries. There was, however, a sufficient force of troops of the line and of national guards in the palace to have defended it against every attack; but a respect for the lives of the deluded multitude induced the king to forbear repelling force by force. At four o'clock in the afternoon the mob amounted to about 40,000, and the gates of the Tuilleries were thrown open to them. At the moment of their entrance, the royal family was at dinner; and on their attempting to break open the door of the apartment where the king was, he rose to prevent the guards from making resistance,

resistance, and said calmly, "I will go to them, I will prevent them from breaking the door." On the instant that it opened, a pike which had been thrust against it to force it open, would have killed the king, but a chasseur turned the weapon aside with his hand. One of the mob now advanced, and insisted upon the king's wearing the red cap, which was the ensign of the Jacobins; and another presented him a bottle, and desired him to drink the health of the nation. Some of the attendants offered to bring a glass; but the sovereign refused the offer, and immediately drank out of the bottle.

It would be an unpleasing task to detail the indignities which were offered to the unfortunate monarch, or the torrents of abuse which he submitted patiently to hear. The mayor of Paris was unaccountably absent during the greater part of these disgraceful scenes. He at length arrived; he exhorted the mob to preserve moderation, and assured the king that he had nothing to fear—"The man," replied the monarch, "who has a clear conscience, fears nothing;" and, taking the hand of a grenadier who stood by him, he applied it to his breast, and said, "There, friend, feel my heart whether it beats quicker than usual."

To the incessant demands of the populace, the king replied, that it was his firm intention to preserve the constitution; and to the torrents of abuse, and the repeated threats against his life, he answered in a pathetic tone—"Atlas! if my life could secure the good of my country, how willingly would I offer it as a sacrifice!"

The approach of night delivered the king from this dreadful persecution; the mayor embraced the opportunity to persuade the people to disperse, and between eight and nine o'clock the palace was cleared of these unwelcome intruders.

During the whole of the tumult, the princess Elizabeth continued close by the side of her brother, as if she was born to be the victim of her generous affection, and to partake in all his unmerited disgra-

ces and misfortunes. On the first breaking in of the rabble, the queen fainted, and with her children, was accidentally separated from his majesty, and conveyed to the apartments of the king's physician. As soon as she recovered, in her distraction she attempted to penetrate to the king; but was stopped in her way thither, by the mob breaking into the council-chamber. Fortunately M. Lajard, the minister at war, and general Wittinghoff had retired to the same spot. M. Lajard formed a kind of rampart of the great council table, which he placed against the door, with a double row of national guards before it. Behind the table stood the queen with her children, the princess de Lamballe, and some other ladies. In this situation she remained the whole time, condemned to hear the most indecent reproaches, and the foulest imprecations, from the meanest and most depraved of her sex.

On the first entrance of the mob into the palace, a deputation was sent from the national assembly, with orders to exert themselves for the preservation of peace; and during the course of the tumult, this deputation was renewed three times.

The events of the 20th of June were a plain prelude to the downfall of monarchy, and, we may add, of all government in France; and men of reflection foresaw many of those evils which have since happened to this devoted country. From this moment all respect to authority, all order and subordination ceased; a momentary shame indeed appeared at first in the Parisians, and the directory of the department, which was composed of some of the most respectable persons in the kingdom, at the head of whom was M. Rochefoucault, and the former bishop of Autun, M. Talleyrand, determined to take every step for preventing the repetition of similar outrages. The conduct of M. Petion on the occasion could not be viewed without suspicion. One of the first steps of the department therefore was to publish a declaration, "That the events of the 20th could not have taken place, if the laws

laws in being, and particularly those relating to the public force, had been better known to the citizens, and better observed by the magistrates charged with the execution of them." To this declaration M. Pétion published a very voluminous answer, calling upon them to commence a prosecution, and protesting his innocence in general terms. The department next published an advertisement to the people of Paris, exhorting them to peace and subordination, and intimating that there existed a secret connexion between the external and the internal foes of the public tranquillity. At the same time a petition to the national assembly, complaining in very strong terms of the outrages of the 20th, was signed by the most respectable of the inhabitants; and several addresses were received from different departments, to the same effect.

As the insolence of the Jacobins had increased to an intolerable excess since the affair of the 20th, and as their violence had been principally directed against M. la Fayette, that general conceived it expedient to present himself at the bar of the national assembly. He no sooner arrived at his hotel, than he was waited upon by several battallions of the national guards. A tree of liberty, ornamented with ensigns and cockades, was planted before his door, and every circumstance evinced the return of affection in the people to their former friend and benefactor. He appeared at the bar, with that confidence and dignity which integrity alone can give. He assigned as a reason for his appearance among them, the shame and indignation of the army at the outrages of the 20th, which he said must have increased to an alarming degree, had he not thought it his duty to moderate their resentment against the factions of Paris, by assuring them that he would appear alone before the representatives of the nation, and demand in their name, that order, obedience, and respect for the laws should be restored. He avowed his letter of the 16th, entreated the assembly
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to come forward and save the country from ruin, by dissolving the factious clubs, and inflicting exemplary punishment on the promoters of the late disgraceful riots.

Notwithstanding the apparent gallantry of M. la Fayette's conduct on this occasion, we cannot help censuring it as unwise. If, we must repeat, the sentiments of the army were really such as he represented them, he ought to have taken advantage of them, and to have restored peace and liberty to his country, by marching to Paris, by punishing the movers and abettors of faction, by annihilating completely the Jacobin clubs, by removing the legislature from the disgraceful influence of the Paris mob, and by dissolving the present assembly, into which too many persons of desperate fortunes and unconstitutional designs had unfortunately obtruded themselves. If ever France is to be regenerated, and a free constitution given to it, it must be by some such proceeding. Perhaps, however, M. La Fayette might be mistaken in the principles of his army; and indeed the events which have occurred since the period of which we are now treating, seem to indicate that the loyalty of the soldiery was scarcely to be relied on.

The Jacobins were filled with consternation on the arrival of La Fayette; but it served only to redouble their activity in rendering him odious to the populace. The name of Cromwell was echoed from every press, and their indefatigable emissaries succeeded so far with the mob, that he was burnt in effigy. In the assembly he was violently attacked by Ilhard, Guadet and some others of the anti-constitutionalists, and was defended in a most able and eloquent speech by M. Ramond. Finding, however, that no good was to be effected in Paris, M. la Fayette left that city on the 30th, and proceeded immediately to his army.

That the officers at least of both armies sincerely sympathized in the indignity offered to the hereditary chief of the nation, is evident from the letter of marshal

shal Luckner to the king, which was communicated on the 29th to the assembly by the minister of war. In that letter the marshal declares publicly his approbation of the conduct of M. La Fayette, and expresses in the most forcible terms the sentiments of the soldiers on the outrages of the 20th. "Their indignation, fire," says he, "was terrible and sudden, and the army admire your courage."

On the same day, the minister of justice communicated a plan which the king proposed as a substitute for the two decrees which he had refused to sanction—With respect to the protection of the capital, it was the proposal of the king to levy forty-two new battalions, to be stationed not at Paris, but between that city and the enemy, so as to form a second line behind the army then on the frontiers; and as to the danger apprehended from the refractory priests, the minister assured the assembly, that it was the strict intention of the king to enforce the execution of the laws against all disturbers of the public peace.

To prove that the intentions of the Jacobins were not what they professed, it has been well remarked, that at the period in question, the army of La Fayette amounted to only between seventeen and eighteen thousand effective men, and that of Luckner did not exceed twenty-three thousand. The augmentation proposed therefore was certainly inadequate to the protection of the capital; and if intended sincerely for that purpose, it ought to have been stationed nearer to the frontiers, and in such a situation as might enable it to co-operate with the army already commissioned for the defence of the country. Such a force, stationed in or near the metropolis, would only add to the licentiousness already practised there—They must reciprocate in the corruption of morals and discipline, and, while they helped to deprave others, must be inevitably depraved in their turn.

The assembly persisted however in their decree, and the *federates*, for that is the name which was bestowed on these new levies, were invited by the Jacobins

cobins to repair to Paris without any lawful authority. On the 1st of July, on the motion of M. Jean de Brie, it was declared by the assembly, "that the country was in danger." Ten other resolutions were passed, ordering that all citizens, having been previously national guards, should be on permanent duty, and every officer at his post.

While these affairs were transacting in the metropolis, the armies of France had made some progress in the Austrian Netherlands. On the 18th of June, Courtray surrendered after a short resistance to the arms of marshal Luckner; and about the same period, M. Carle took possession of Ypres and the country adjacent. M. la Fayette's army had also advanced and gained possession of St. Ghislain and the key of Mons. Marshal Luckner soon afterwards entered Merin.

The triumph of the French, however, was not of long duration. On the 6th of July, the king announced to the assembly, that one enemy more was added to the confederation against French liberty—That the insidious conduct of the king of Prussia had long indicated hostile intentions, and that he was now in the act of marching 52,000 men to co-operate with the king of Hungary. About the same period, the assembly received advices from marshal Luckner, signifying, that the numbers of the enemy were such, that it was impossible for him to proceed farther into the territories of Austria, without the risk of being cut off from a communication with the army of M. la Fayette; that the Prussians and Austrians were bearing down upon him in two columns; that in consequence of these circumstances he had ordered his camp to be raised, and was himself retiring towards Valenciennes, and M. la Fayette towards Givet. A subsequent dispatch announced the actual retreat of the armies, and that in breaking up the camp of Courtray, some of the enemy having got possession of the suburbs, they had fired upon field-marshal Jarry, who, to prevent the repetition of similar outrages, had

had set fire to the suburb and consumed several houses. The conduct of M. Jarry was considered as disgraceful and injurious to the cause of France, and he was, in consequence of it, afterwards dismissed from his command.

The motives which induced the victorious generals to abandon thus hastily the Netherlands, have never been completely explained. Soon after the appointment of marshal Luckner to the northern army, it was generally understood that the plan and operations of the campaign were entirely left to the generals themselves; and yet it has since been insinuated, and in part confirmed by some expressions which had fallen from M. Luckner himself, that they retreated only by the express orders of the court. Should this have been really the case, it forms indeed an article of charge against the unfortunate monarch, which it will not be easy to extenuate; and would almost prove the existence of a conspiracy in the court, most fatal to the liberties of the nation. The fact, however, has not yet been established upon competent evidence.

On the 5th of July, the king informed the assembly of his intention to celebrate the approaching anniversary of the confederation. He expressed his hopes that this festival would more strongly cement all good patriots in their country's cause, and disappoint the attempts of the factious. On the following day the directory of the department of Paris, after a long sitting, pronounced the suspension of M. Petion from the office of mayor, and of M. Manuel, the procureur of the commune. The federates about this period arrived at Paris in considerable numbers, while every circumstance announced the agitation of the public mind.

The extreme points on which the two parties differed, were that of pure democracy on the one part, and the institution of an upper chamber, similar to the British house of peers, on the other. Such an institution, as a remnant of aristocracy, was regarded by

by the French with almost as much abhorrence as absolute monarchy itself; while the establishment of it was considered as the great object with the court, as a preliminary step to the annihilation of liberty. The middle party was still numerous; and it was judged that there were many who might secretly incline either to the court or the republicans, who yet would be well disposed to sacrifice something of their prejudices to the preservation of peace and order. On the 7th of July, at the moment when M. Brissot had ascended the tribune, to pronounce a discourse on the means of securing the state against all its enemies, M. Lamourette, the patriotic bishop of Lyons, requested to be heard for a few minutes. He expatiated on the necessity of union, and most particularly among the members of the national assembly. "Let us make," said he, "a solemn sacrifice of our passions and our prejudices, on the altar of our country; let us give a great example to Europe, and inspire our enemies with terror; there is nothing incompatible but vice and virtue. I move that the president put a question, in these terms—Let all who hold in equal detestation a republic and two chambers, and who wish to maintain the constitution as it is, rise!"

The words were scarcely pronounced, when the whole assembly by an instantaneous impulse, rose from their seats—The two parties advanced and embraced each other, and solemnly protested their adherence to the constitution. A deputation with the bishop of Lyons at their head was immediately appointed to convey the joyful intelligence to the king; and the administrative bodies were charged to communicate it without loss of time to the citizens.

The Bishop of Lyons, on returning from his deputation, informed the assembly of the satisfaction which the king had testified on being informed of what had passed. He had however scarcely finished, when the approach of the king was announced. He was received with loud and reiterated applauses. He was accompanied by his ministers, and placed himself without

without ceremony beside the president. He addressed the assembly :

“ GENTLEMEN,

No spectacle can be more affecting to me than that general re-union of opinion and sentiment which has now taken place. This re-union I have long desired—at last my wish is fulfilled ; the nation and the king form only one. The constitution will now become that point of union, around which all Frenchmen will assemble, in order to protect it, and the king will always set them the example.”

To this the president replied,

“ SIRE,

“ This memorable epoch must inspire with the greatest pleasure all the friends of liberty. It is a dreadful epoch for its enemies—henceforth the nation is invincible. In vain tyrants conspire against liberty.”

Both these speeches were received with the loudest applause. The king made some efforts to answer, but was so much affected that he could only say, in a tone which indicated the utmost emotion, “ The pleasure that I feel is delicious.” He then retired, accompanied by a deputation, and the assembly rose, amidst the exclamations of *Vive la nation ! Vive la liberté ! Vive le roi !*

Thus ended this memorable session ; this well-meant but fruitless effort to restore harmony and tranquillity. It is asserted to have been the spontaneous act of the bishop of Lyons, without any previous concert with any party whatever. The patriotic and well disposed part of the assembly, however, we may well believe, cordially embraced an opportunity so favourable to the demonstration of the purity of their intentions ; by most of the ardent spirits of both parties, it was also earnestly approved for the moment ; and it was calculated in every event to have a temporary

good effect. It afforded an opportunity to all who were fond of peace to disengage themselves from the trammels of party; and to this circumstance we may in part attribute the apparent tranquillity of the day of the confederation; the evil therefore was at least deferred; and, had the court either acted with more prudence, or the combined powers with more justice and honesty, the dissensions that so fatally divided France might perhaps have been finally composed.

The reconciliation of the 7th of July was considered by many as in some measure intended as a compromise of the parties, relative to the affair of M. M. Petion and Manuel; and indeed the king, the very same evening, wrote to the assembly, intimating, that though to decide on their fate was a part of his constitutional prerogative, yet as the matter personally concerned him, he chose rather to refer it to the determination of the assembly. By his own party he was much blamed for this sacrifice of his prerogative; but the action corresponded well with that love of peace which was so congenial to his disposition; and he was doubtless wrought upon by the scene in which he had been so lately called upon to act: the same evening the king announced that he had appointed M. de Joly to the home department.

Notwithstanding the favourable appearances of the 7th, it was soon found that the executive power had entirely lost the confidence of the ruling party; and the clamour was so great against its agents in the assembly, that all the ministers so lately appointed, except M. de Joly, resigned on the 10th; and on their notifying their resignation to the assembly, the mob in the galleries had the indecency to applaud.

Addressees from the Jacobin party in different parts of the kingdom crowded into the assembly in favour of the mayor and M. Manuel; and the assembly, with their usual precipitancy, without examining the proofs, and merely after hearing a few florid speeches, pronounced them guiltless. M. Delfau conjured the legislative body to act with more dignity and deliberation

tion. He painted in strong colours the disgraceful outrages which were acted in the Tuilleries on the 20th of June. He accused M. Petion of encouraging sedition, and of a want of respect for the hereditary representative of the nation. It is with pain we record that the galleries, those fatal galleries, which must be accounted among the prime movers of the national calamities, as they had before discarded all decency and order, now finished the outrage by destroying the freedom of debate; and M. Delfau narrowly escaped from the tribune with his life.

During the first weeks of July, the federates arrived in Paris in small companies. They were courted by both parties, but most assiduously by the Jacobins. The number of the federates present, however, on the 14th of July, is said not to have exceeded fifteen hundred. That day, as we have previously intimated, passed in tranquillity, and the confederation was celebrated with the usual magnificence. The concourse of people assembled has been stated at four hundred thousand. The national assembly met at nine o'clock, and proceeded to lay the first stone of the column of liberty, to be erected on the ruins of the Bastille. Before this ceremony was concluded, the king arrived, preceded by a numerous detachment of horse, a party of the troops of the line, five hundred national volunteers, and the Swiss guards. He was accompanied by the queen, madame Elizabeth, the prince and princess royal, &c. The six ministers walked by the side of the king's coach.

A palm tree overshadowed the altar of liberty, and near it a pyramidal monument was erected to the memory of those who had expired on the frontiers, in the defence of their country. Between the altar and the Seine a poplar was planted, hung with escutcheons, and other remnants of heraldic folly, which was set on fire by the priest who performed mass at the grand altar, in allusion to the destruction of the feudal system.

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Though the king was in general well received, the day did not pass without some degree of mortification to him. Several of the populace, armed with pikes, repeatedly shouted, *Vive Petion! Vivent les Jacobins, a bas le department, a bas le veto, &c.* At about six o'clock the king and the national assembly renewed their oath to be faithful to the constitution, and the royal family immediately afterwards returned to the Tuilleries. The federates on this occasion behaved with much order and loyalty; they appeared to join cordially in the shouts of *Vive le roi!* and some are even said to have testified by their exclamations their disapprobation of the factions.

Notwithstanding the deceitful calm which the spectacle of this day exhibited, notwithstanding the supposed reconciliation of the 7th, and the restoration of Petion and Manuel, still the discerning part of the public saw that the crisis was only deferred, and that the fatal contest was only ripening to maturity. The republicans have themselves confessed, that the plan for abolishing royalty was determined upon and settled at least as early as the 29th of July; and we may reasonably conclude, from their conduct, that it had been for a much longer period in agitation: on the other hand, it must be allowed, that the aristocratic faction was never inactive; the plans were innumerable which were presented to the king and queen from that quarter; and as the constitution was, from the objections which we stated in our former volume, found to be in some measure impracticable, it is certain that if the king did not wish it entirely abolished, he at least wished it to be reformed: he felt himself, what he really was, a mere cypher in the government, and he naturally desired to be something more. His situation was indeed still worse than this; he was a cypher, with an immense weight of responsibility attached to him; he was posted in a place of the greatest danger, without the advantages which ought to accompany such a station.

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One of the most serious evils which the government at this crisis experienced, was the frequent impeachment and the consequent change of ministers; and it is a fact, almost unparalleled in the annals of any other country, that France had witnessed no fewer than twenty-six ministers move across the stage of public affairs in rapid succession, in the short space of six months. A few days after the confederation, a new administration was announced, which consisted of M. de Joly as minister of justice, M. St. Croix for foreign affairs, M. Dubouchage for the navy, M. d'Abancour minister of war, M. Champion for the home department, and M. Leroulx de la Ville for that of finance. It was some time before this arrangement could be settled, for the office of minister was become at this period so much the post of danger, that the king was obliged to solicit many who could not be prevailed upon; and those who did, accepted the port-folios of office only on his most pressing entreaty.

On the 22d of July, agreeably to a decree of the national assembly, proclamation was made in all the sections of Paris, "that the country was in danger." Three guns were fired from the Pont Neuf every hour, from six in the morning till night. Picturesque scaffolds, representing fortifications, were erected in different parts of the city; on each of them a tent was erected, decorated with the national colours, in which sat the officers appointed to register the new levies for the frontiers, and the camp to be established at Soissons. The proclamation was made in a solemn manner by the municipal officers on horseback; and the whole ceremony had such an effect on the minds of the populace, that in a few days several thousands had enrolled themselves.

In the mean time the federates arrived from all parts in considerable bodies; those from the southern provinces were the most ferocious, both in conduct and appearance; and from the circumstance of the majority of them coming from the neighbourhood

hood of Marseilles, the appellation of Marsellois has been almost indiscriminately applied to this description of volunteers. They consisted chiefly of the lowest and most dissolute of the rabble from every part, many of them immediately from the galleys, and were in every respect well calculated to fraternize with the sans culottes of Paris.

From the first moment of their arrival, they manifested a savage and turbulent disposition. Innumerable instances are recorded, by the aristocratic writers, of their ferocity; some undoubtedly fabulous, but too many beyond the reach of contradiction. One of their first outrages was committed on the person of M. d'Espremenil, who had rendered himself so famous in the first legislature as the champion of monarchy. He was walking peaceably on the terrace of the Feuillans, when he was attacked by a party of these savages, and, after receiving some very dangerous wounds, was rescued at last from destruction by the courage and humanity of M. Jonneau, a member of the national assembly, assisted by four grenadiers of the national guards.

It was not long before the Marsellois were engaged in another riot, by wantonly attacking a party of the national guards, who were dining peaceably together under the trees in the *champs elisées*. In this conflict a grenadier of the national guards was massacred; but the Marsellois were at this period of too much consequence to be punished by the party in power.

The resentment of the Jacobins appeared for the present to be principally directed against M. la Fayette. The consistency of this respectable patriot had mortally offended these factious spirits; they had tempted him with the highest bribes, and the most splendid promises; but he proved inflexibly attached to the party of the king, and determined to fall with the constitution. His ruin was therefore resolved upon; and the spirit which he evinced in his late fruitless journey to Paris, determined them to exert themselves

themselves to procure his immediate dismissal. The Jacobin clubs had been occupied for weeks in debates on the treason of La Fayette, and innumerable inflammatory addresses were presented to the assembly against him.

The principal ground of complaint was that of having quitted the army without leave; and the first motion in the assembly on this subject imported, "that the minister of war should be interrogated whether M. La Fayette had received an order from him, authorising his journey to Paris on the 28th of June." This motion, however, when put to the vote, was rejected by a considerable majority: the Jacobins, thus disappointed, still cherished the expectation, that, by keeping alive the public resentment against him, the assembly might at some period be found more propitious to their wishes. The consideration of his petition was deferred from day to day, and whenever it came under consideration, the most violent debates took place. In the mean time, a new circumstance was brought forward to inculpate the general. On the 21st of July, after much intemperate language, M. Lasource pledged himself to the assembly "that La Fayette had proposed to lead his troops to the capital, and that M. Bureaux de Puly had made the proposition to Marshal Luckner." In support of this assertion, M. Lasource appealed to the testimony of M. M. Brissot, Guadet, Gensonné, Lamarque, and Herault, and demanded that M. Luckner himself should be cited to give his evidence to the facts. The speech of M. Lasource was greatly applauded by the wretched mob in the galleries, while M. Dumoland, and every person who spoke in favour of the general, was actually hissed down by those disturbers of decency and order. In support of the allegation of M. Lasource, the following certificate was laid on the table, and the discussion was adjourned till marshal Luckner should have explained himself upon the subject. In the mean time M. Bureaux

reaux de Pufy, and the other parties, were summoned to the bar of the convention.

CERTIFICATE.

"Some members of the national assembly having had an opportunity of seeing M. the marechal Luckner, on the evening of the 17th of July, at the house of the bishop of Paris, and having asked him if it was true, that it had been proposed to him, on the part of M. la Fayette, to march to Paris with his army, after the event of the 20th of June—M. the marechal Luckner answered in these terms:—"I do not deny it; it was M. Bureaux de Pufy; he who has been, I think, three times president of the national assembly. I replied to him, I shall never lead the army I command but against our external enemies. La Fayette is at liberty to do what he pleases; but if he marches to Paris, I will march after him, and I will drub him. M. Bureux de Pufy then said to me, But the life of the king is in danger! There is what he said to me; and they made me other proposals still more horrible."

"Such were the exact expressions of the marechal Luckner, which we heard, and which we attest.

(Signed)

BRISOT,

GUADET,

GENSONNE,

LASOURCE,

LAMARQUE,

DELMAS."

On the 29th of July, M. Bureaux de Pufy appeared at the bar, and not only refuted on his own testimony this atrocious calumny, but produced actual copies of the letters which he carried to marechal Luckner, with the marechal's answers, and which regarded only the plan of the campaign. From these letters it appeared, that M. la Fayette had intimated to marechal Luckner his intention of proceeding alone to Paris, in consequence of the atrocities of the 20th of June, and that the marechal had objected

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to it, solely on account of the personal danger which he would incur by such a step: M. de Pufy deposited on the table the private letters of the generals, in which the sentiments of both were clearly revealed, and from which it appeared that the former professed himself in these terms: "Ever since I have breathed, I have lived only for the cause of liberty; I will defend it to my last sigh against every species of tyranny." And that the latter, when he had received an intimation of an intended denunciation, wrote in these terms to M. la Fayette: "I have been told they mean to denounce us; I wait for more information, but most certainly I will live in peace, or I will give up my commission." After this complete and satisfactory testimony, M. Guadet observed, "That he should not wonder if certain persons prevailed on M. Luckner to recant."

On the following day a letter was received from M. la Fayette himself; the contents of which are as follows:

Longwi, July 26th, Fourth Year of Liberty.

"The minister for the home department has signified to me an act of the legislative body of July 21; and the information which six of its members have signed.

"If I were questioned respecting my principles, I should say, that a constant proclaimer and defender of the rights of man, and the sovereignty of the people, I have every where and always resisted authorities which liberty disavowed, and which the national will had not delegated; and that I have every where and always obeyed those of which a free constitution had determined the forms and the limits.

"But I am questioned respecting a fact—Did I propose to marechal Luckner to march to Paris with our armies? To which I answer in four words—*It is not true.*

"LA FAYETTE."

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The

The letter of marechal Luckner himself was not less decisive against the testimony of the six members of the assembly. He denied in strong terms that ever any proposal was made to him for marching to Paris, and lamented that any such construction should be put upon a conversation, which it was evident these gentlemen must have misunderstood. It was indeed something very singular, and by no means favourable to their veracity, that they had suffered the marechal to depart from Paris without citing him to the bar, or demanding any explanation of so extraordinary a conversation.

The decision upon the charges against M. la Fayette was deferred to the 8th of August, when a long and tumultuous debate took place. M. Jean de Brie, one of the most factious members of the assembly, made the report, which concluded by proposing a decree of accusation, and was highly applauded by the disgraceful mob that infested the galleries. He was answered in a most able and eloquent speech by M. Vaublanc, who was hissed vehemently by the galleries, but applauded by the majority of the members: at length the motion for a decree of accusation was rejected by four hundred and six voices against two hundred and twenty four.

It was evident from this decision, that the assembly, weak and incompetent as it was, still preserved some share of decency in its character and proceedings; but the Jacobins had made their party certain: the mob were completely devoted to them, and they hoped to carry by their force the boldest measures. Innumerable addressees had been presented to the legislature, which contained the most insolent and outrageous abuse of the king and royal family; even the constitution, which had so lately been an object of adoration with the whole nation, was openly reviled both within and without the doors of the assembly, and the galleries never failed to testify their displeasure with their usual indecency. The restoration of Petion was the signal to the directory of the
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the department to resign, though their only crime was endeavouring to restrain the fatal insanity of faction, and to support a constitution they had laboured to establish.

While we cannot but censure these unwarrantable proceedings, the same principle of candour and equity obliges us to look to their origin, the concert of princes against France. That concert has been avowed by themselves, and it could not have been founded in any motive of virtue or good will to France. We have freely animadverted on the defects in the constitution established by the assembly in 1791. The great error in that constitution was the weakness of the executive government. But that was not to be removed by external attack, or the interference of foreigners. Time, the continuance of peace, the support of his nobility and kindred, who basely forsook him for the purpose of gratifying their own private resentment, were the only means of restoring to Louis XVI. that reasonable share of authority which was likely to effect his own and his people's happiness: but we cannot suspect the hostile sovereigns of any such benevolent design as that of procuring for France a just and equal government: their success, should the contest terminate in their favour, will explain their designs; it will then appear whether or not their immediate object was to take advantage of the distress of France to procure for themselves what is always the foolish passion of monarchs, an accession of territory.

Some time must generally elapse before the veil is entirely removed from political transactions. Whether there actually existed or not a connection and correspondence between the hostile powers and the court of France; whether the league of Pilnitz and the inimical proceedings of Austria were either planned by the royal party at home, or approved by the king, is at present involved in impenetrable obscurity. The affirmative is almost universally believed in France; but it is believed on presumptive, and not
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on positive evidence ; on the other hand, the friends of Louis have been strenuous in denying the charge. They assert that his personal influence with Leopold actually prevented that monarch from engaging in hostilities, and that every effort was made as a sovereign and a brother, by the able and trusty agency of M. Bigot de St. Croix, to induce the emigrant princes to return to the bosom of their country.

Whatever conclusion posterity may be disposed to draw upon this subject, upon better evidence than lies before the public at this period, certain it is that every measure of the combined courts appeared calculated to precipitate the ruin of the unfortunate monarch, for whose cause they professed to have taken up arms. It was of little immediate avail to him, whether he was really innocent of any traiterous design against his country or not, provided it was believed in France ; and how should it not be universally believed, when the emperor and the king of Prussia positively asserted, in their proclamation, that “ the king was not sincere in accepting the constitution ? ”

The insulting and sanguinary manifesto issued at Coblenz on the 25th of July, by the duke of Brunswick, insinuated the same fact, and, as well as that of the 27th of the same month, was calculated to have the very worst effect upon the populace of Paris. It left no middle party in the nation ; all who wished to preserve a government, in any degree popular ; all who conceived that a limitation of the supreme authority was a desirable circumstance, were thrown, by these measures, into the hands of the avowed republicans, and felt themselves compelled to give way to the sanguinary madness of that fanatical party, or at once accede to the destruction of liberty by the army of the duke of Brunswick.—A fatal alternative, which rendered it almost impossible to be at once the friend of order and the friend of liberty !

The unfortunate Louis did not dare to present this declaration to the assembly as an authentic paper.

The

The very letter which submitted it to the inspection of the legislature questioned its authenticity; and though the royal message was replete with the strongest, and probably the most sincere expressions of patriotism, the proposal of printing it for the use of the departments was rejected, and the notoriety of the matter authorized in point of fact the insolent remark of M. Isnard, "that the king had asserted what was not true." The republican party acquired new accessions of vigour and of authority; and on the 3d of August the fatal die was cast, when M. Petion, at the head of the sections of Paris, appeared at the bar of the assembly to demand the deposition of the king. The audacious proposal was heard with horror by all good patriots; but it was followed by others of the same nature on the 6th and 7th. A petition had lain for eight days on the altar of the Champ de Mars, and was presented by a countless multitude on the 6th, who were preceded by a pike crowned with the Jacobin ensign, the red woollen cap, with an inscription upon it, "The deposition of the king."

In compliance with these repeated requisitions, the assembly at length determined to come to a decision on this difficult and dangerous subject, and the fatal 10th of August was appointed for the discussion. The assembly, however, had exhibited some proofs of caution and temperance which did not coincide with the impetuosity of the Jacobins, and the urgency of their cause. The federates had been detained on various pretences in the metropolis; and even if their stay could be protracted, the leaders of the party were doubtful whether harmony could long exist between them and the mob of Paris: the passions of the people were now inflamed; but the French are versatile, and a change of opinion might succeed. In few words, there can be little doubt but that it was well understood that the people were to be excited by the Jacobin party, and that force and a mob were to effect what they despaired of from the legally constituted powers. In proof of this assertion many facts
might

might be adduced. To some foreigners regular notice was given by the leaders of this party to absent themselves from Paris on that day; and we know, from the best authority, that one of the most active in the conspiracy was heard to say, "If we cannot provoke the people to rise by the tenth, we are lost."

C H A P. VIII.

Preparations for the defence of the Tuilleries—Election of a new commune—Murder of M. Mandat—The king and royal family desert the palace—The Tuilleries attacked by the Federates—Resistance and massacre of the Swiss—Death of M. Clermont Tonnerre—Deposition of the king, and accusation of the ministers—Imprisonment of the royal family—Murder of M. de Rochefoucault—Flight and imprisonment of La Fayette—Submission of the other generals—Capture of Longwy and Verdun—Execution of ministers—Banishment of the priests—Horrid massacre of the 2d of September—Murder of the princess de Lamballe—Decree proposed for forming a battalion of regicides—Advance of the combined armies—Action at Grand Pré—Armistice—Retreat of the Prussians—Recapture of Longwy and Verdun—Weakness of the court of Berlin—Ill conduct of the combined armies—Sieges of Thionville and Lisle—Declaration of war against Sardinia—Conquest of Savoy—of Nice—Transactions with the republic of Geneva—Success of Custine—Capture of Spire, Worms, Mentz and Frankfort—Recapture of the latter.

WHILE such were the evident designs of the adverse party, the king was not uninformed of their proceedings; and as no alternative now appeared but to repel force by force, preparations were made for defending the Tuilleries in case of an attack.

The

The dreadful Rubicon was now passed, and no hope of the return of harmony or peace remained. A solemn gloom overspread the palace, and superseded the native gaiety of the French nation. Loyalty and friendship were now put to the severest test; and the question was not, who will conquer, but, who will die in the defence and in the presence of his sovereign? Amidst his accumulated misfortunes, a small and firm band retained their attachment to the king, and upon different motives devoted themselves to his defence. Among these might be counted some of the remnants of the ancient aristocracy, who made this last sacrifice to their principles, and whose errors, when united with such disinterested virtue, became respectable. Some had been among the most forward of those who united in the first efforts to meliorate the condition of their countrymen, but equally remote from anarchy and despotism, now dreaded the evils which impended on a total alteration of government: some were the personal friends of the fallen majesty of France; some from gratitude, some from prejudice; some pregnant perhaps with improbable hopes; and some in the phrensy of despair, crowded round the tottering standard of royalty.

Among these brave and gallant men, none were more respectable than the Swiss guards. By repeated decrees of the assembly, this body of troops had been considerably reduced; and even on the 7th of August the king had been obliged to dismiss three hundred of them. The departure of the whole from Paris had been indeed decreed; but the king upon the plea that the arrangement pointed out by the legislature was contrary to the treaty with the Helvetic body, had deferred the execution of the decree; and the number which remained in the Tuilleries, previous to the 10th of August, was about seven hundred. On these the court party placed their strongest reliance for the defence of the palace.

Besides the Swiss, the number of gentlemen and others who repaired to the palace on this melancholy occasion,

occasion, is said to have amounted to from twelve to thirteen hundred men.

As these were, however, not considered as quite sufficient, the commander of the national guards, M. Mandat, an honest man, and attached to the constitution, having represented to the mayor the apprehensions which had been entertained for the safety of the royal family, had obtained from that magistrate a written order to defend the palace with all his force, and to repel the attack of any invader. The detachments of national guards, which M. Mandat had ordered to the palace upon this occasion, are stated at about two thousand four hundred men, and to these we may add the *gensdarmes à cheval*, a body of cavalry amounting to about one thousand.

With this force, well-ordered and well-arranged, it is the opinion of some, that had there existed a sufficient portion of spirit, firmness, and unanimity in the council within the castle of the Tuilleries, it might successfully have resisted the designs of the republicans. Some dependence was also to be placed upon the temper and moderation which the majority of the assembly had lately exhibited, and upon the indignation which the more respectable inhabitants of Paris had expressed with respect to the outrages of the 20th of June.

The 9th of August was spent in tumultuous and disturbed debates in the assembly. M. Vaublanc and some other members, suspected of an attachment to the cause of royalty, complained that they had been pursued, ill treated, and in danger of being assassinated; and claimed the protection of the nation. As the assembly manifested an inclination to proceed with deliberation in the decision of the great question relative to the suspension of the king, the impatience of the populace was greatly excited. The mayor appeared at the bar, and alledged he could not be answerable for the peace of the city; he added, that it was generally understood that the alarm bell was to sound at midnight, and the palace was to be assailed.

Within

Within the Tuilleries all was consternation and dismay. Some shew of order was however preserved. At about eleven o'clock at night the mayor repaired to the palace where he remained till between two and three o'clock in the morning. There is no proof that he was detained by force; but the disaffected made use of the circumstance of his remaining there to circulate a report to the injury of the royal party, that he was either murdered or kept as an hostage. As the report however reached the assembly, which sat all night, the president thought proper to order him before them, and he immediately appeared at their bar. M. Petion was afterwards, probably by his own desire, put under an amicable arrest by his own party at his house, as he was ashamed or afraid to appear more openly in so disgraceful a transaction.

At midnight the alarm-bell was sounded, and the drums beat to arms through the city. In this moment of confusion a most unjustifiable and illegal step was taken. As it was pretended that the present council of the commune did not possess the confidence of the people, a few persons from each of the sections immediately assembled to elect a new one, and the measure was carried into effect upon the spot, to the exclusion of the whole municipality, M. M. Petion, Manuel, and Danton, only excepted. This self-elected commune took immediate possession of the common-hall, and proceeded to such measures as might most effectually promote the designs of the insurgents.

One of their first resolves proved fatal to the royal party. As M. Mandat was known to be a determined supporter of the constitution, as it was evident that his presence would afford the strongest encouragement to the national guards, and would greatly contribute to the retaining of them in their duty, and as the order which he had received from the mayor was an additional authority in the eyes of the soldiery and the people; it was determined by any means to deprive the king of this essential support. The crea-

tion of a new municipality was not known at the palace; and under the cover of this delusion a message was dispatched to M. Mandat, requiring his attendance at the common-hall, under the pretence that they had something of the utmost importance to communicate to him. M. Mandat was at that moment occupied in assigning to the detachments of the national guards their different posts; and, as if suspicious of a conspiracy against his life, he hesitated to obey the order. A new message more pressing than the former was therefore sent; and M. Ræderer, the procureur-syndic, who is by some suspected of being a party in the plot, joined with two other municipal officers who were present, in persuading him to obey the commands of the constituted authorities. He left the palace about four o'clock in the morning, and proceeded to the town-house, accompanied by a single aide-du-camp.

We may easily imagine the surprise of this unfortunate officer at meeting an assembly so different from what he expected; and his surprise must have been augmented at finding himself abruptly charged with a plot to massacre the people. After a short interrogation he was ordered to the abbey prison; but as he descended the stairs he was shot through the head with a pistol, and instantly dispatched with spears and hangers. M. Santerre was appointed by the same authority to the command of the national guard, which however he did not immediately assume.

The king had not closed his eyes during the whole of this eventful night; indeed the only part of the family who retired to rest were the royal infants. At six o'clock it was thought expedient that the king should review the troops. He accordingly proceeded to the court-yards, where he was saluted with the acclamation of *Vive le Roi!* from the Swiss, and it was echoed by the national guards. The artillery, however, and the battalion of *Croix Rouge*, shouted *Vive la Nation!* and some of the more insolent and disaffected, *Vive Pétion!*

As

As the national guards were deprived of their commander, and consequently at that moment were governed by no effective authority, the example of the artillery soon became contagious, and their unruly and indecent conduct evinced how little dependence was to be placed upon their fidelity.

As soon as the king returned from reviewing the troops, the gentlemen who were in the palace formed themselves into regular companies of life guards; and, as most of them were trained to arms, they formed in an admirable manner for the protection of the interior of the palace, and, animated by enthusiasm and despair, would undoubtedly have made a most gallant defence, had the king remained at their head. The national guards within the palace were addressed in strong and pathetic terms by the king and queen. They were penetrated with the enthusiasm of loyalty; an involuntary tear started into every eye, and in language more expressive than words, every man appeared to profess his intention to die for monarchy and the constitution.

Posterity will perhaps condemn, and the unhappy monarch had soon reason to regret, the sudden resolution into which he was impelled by the timidity or treachery of M. Ræderer. At eight o'clock that officer entered the council chamber where their majesties were, at the head of the department; and his first words were, "No person shall interpose between the king and the department." He requested to speak with the king and queen in private; he proceeded to represent the imminent danger which at this moment impended over their majesties and all that were attached to them; he assured them that very few of the national guard were to be depended upon, and that the majority were totally corrupted. That instead of defending the palace, they would instantly join the assailants; that the number of the insurgents was such that it was insanity to oppose; and entreated that they would repair, as to the only asylum which was open to them, to the national assembly. The queen

queen, whose penetration led her to suspect a conspiracy, and whose force of mind was generally more disposed to resistance than submission, opposed with vehemence M. Ræderer's proposal, and exclaimed—"that sooner than remove she would be nailed to the walls of the palace." But the habitual gentleness of the king's character induced him to comply. They strictly forbade their aristocratic friends to accompany them; but it was with grief and reluctance that they submitted to the command of their beloved master, to separate themselves from his person in the hour of calamity and danger.

The king met with no interruption in crossing the Tuilleries to the stair-case leading to the terrace of the Feuillans; but there he was detained near a quarter of an hour by the populace, who mingled with the grossest abuse the most alarming threats against his royal person. The directory of the department at length prevailed on the multitude to give way, and one of the most forward of the insurgents snatched the Prince Royal out of the queen's arms, and carried him to the assembly.

The legislative body, at the moment their majesties entered, were engaged in a tumultuous debate, on the motion for sending a deputation to conduct the king and the royal family to the hall. As soon as he entered, the king seated himself by the side of the president, and addressed the assembly in these words: "I am come hither to prevent a great crime—Among you, gentlemen, I believe myself in safety." The king and queen were accompanied by their son and daughter, and the princess Elizabeth—A voluntary deputation of the members had proceeded to the door of the hall to introduce them.

A singular debate took place almost immediately on the entrance of the royal family. It was observed by a member, that according to the constitution, the deliberative functions of the assembly were suspended by the presence of the king. It became therefore a matter of some embarrassment to know where to dis-
pose

pose of the unfortunate monarch : some were for placing him at the bar, and others in the galleries. The king with his family then retired to the benches destined to the ministry ; but this was still objected to : at length it was observed, that they might be accommodated in a small box, about ten-feet square, on the right hand of the president, separated by an iron grating, and which had been appropriated to the editors of a newspaper, at that time well known under the title of the *Logographe*, but which has since been suppressed. In this confined situation the royal family spent fourteen hours on a burning hot day, exposed to instant danger, and loaded with indignities.

The reports which had been industriously circulated of a plot formed within the palace for the massacre of the citizens, had already caused the savage multitude to thirst for blood. In the course of the night, twenty-two persons had been arrested under various suspicions in the section of the *Feuillans*, and imprisoned in the guard-house. Eleven of them, who were confined in a separate apartment, had, however the good fortune to save themselves by leaping out of a window into an adjoining garden. For some time the insurgents had been extremely clamorous in the court of the *Feuillans*, demanding the sacrifice of the prisoners, and about half past eight a municipal officer ascended a bench, and exhorted them with great humanity to abstain from violence and cruelty. This respectable magistrate was soon silenced by clamour, and a horrid banditti, headed by a wretch who disgraced the name and form of a woman, a prostitute of the name of *Theroigne*, proceeded to the committee, to demand their immediate slaughter. Nine innocent persons were thus inhumanly murdered, some of them by the hands of the infamous *Theroigne*. Among these was a *M. Sulea*, a man of letters, of great merit, whose only crime was being attached to his king, and the abbe *Bouyou*, a dramatic writer. The heads were immediately fixed on pikes, and carried as trophies round the city, to increase (had it been necessary

necessary) the cannibalism of the populace, and the fears and the horror of all honest men.

It was a most unfortunate circumstance, that the king, on his departure from the palace, did not leave distinct orders to those who remained to capitulate. Much bloodshed would probably have been avoided by this means, and there is even some reason to think that the event might have proved more favourable to the king himself than it did. The democratic party charge this neglect to the duplicity of the king, who, they allege, wished to secure two chances to himself;—the restoration to his former dignity, should the party within the palace prove victorious; and at the worst he expected to escape with his life, by taking shelter in the national assembly. This, account of his motives is, however, probably no more than one of those uncharitable insinuations which at such a crisis the malignity of party usually invents; and the conduct of the king is more naturally to be attributed to that confusion and anxiety, which at such a crisis deprives the most collected mind of half its functions. At this distance we can reason with temperance and judgment; but how should we have acted, if placed in circumstances so extremely difficult and trying to human infirmity?

To complete the public calamity, time was not allowed to remedy the omission; for before orders could be dispatched to this effect, before recollection had perhaps suggested to the king the necessity of forwarding such orders, it was too late. The royal family were scarcely seated in the box of the Logographe, when a dreadful cannonading shook the assembly. Some members rose from their seats, and appeared disposed to seek their personal safety by flight; but the president calling them to order, desired them to recollect that every man was at his post. The king informed the president that he had left strict orders with the Swiss not to fire upon the people.

It has been disputed who were the first aggressors on this unhappy occasion. The point appears difficult

cult to ascertain, and of but little importance when decided. We shall report the progress of this deplorable contest as far as the materials we are in possession of will enable us to proceed.

The number of the insurgents has been stated at about twenty thousand effective men. The crowd of idle spectators who followed them, partly from curiosity and partly in hopes of plunder, is not to be estimated. The active rebels consisted chiefly of the lower class of the inhabitants of the suburbs, distinguished, as we before intimated, by the appellation of *sans culottes*, with some hundreds of the Marseillois, and other federates, who were certainly the most daring, and contributed most to the success of the enterprise. They were marshalled in tolerable order under the command of a Prussian, a soldier of fortune, of the name of Wiestermann, and were armed some with spears, some with muskets, and had with them in the centre not less than thirty pieces of cannon.

The retreat of the king was fatal to the defence of the palace. The gentlemen within formed themselves, as well as they could, part with and part without arms, in military array; but as they had it no longer in charge to defend the person of the king, they should have mingled with the national guards, and kept up their spirits by laying aside those distinctions which they knew were become so odious to the people. The most loyal among the national guards were dispirited by the loss of their commander, and disgusted by the flight of the king. Murmurs circulated among them; the purport of which was that they were inevitably betrayed, and that with aristocrats on the one hand, and with the Swiss on the other, they were between two fires. Even the Swiss themselves were completely discouraged. Their commander in chief, M. Affry, was absent; M. Bachman, second in command, and his adjutant, had accompanied the king to the national assembly; the captains of the companies were either not at their posts, or those who remained were utterly at a loss what course to pursue.

At

At about a quarter past nine the gates of the *cour royale* were forced open, and the mob rushed furiously in, headed by a party of the Marseillois, whose leader drew them up in two square divisions facing the palace. They brandished their spears, and levelled their pieces with menacing gestures; while the Swiss and national guards from the windows entreated them by signs to keep the peace and withdraw.

A few of the *jans culottes* at length proceeded to the foot of the first stair-case, and seizing the Swiss sentinel, and soon after five other of his countrymen, disarmed them, and the main body then rushing in, cruelly beat out the brains of the defenceless victims. On observing this outrage, the Swiss drew up in order of battle, some on the stair-case, others on the steps facing the chapel-door, and seeing no alternative but to stand on the defensive, fired upon the murderers. At the same moment, a national officer who headed a party of the rebels, having fired his pistol against the walls of the palace, provoked those who were in the windows to return the fire. The assailants then applied their matches to the cannon, and the engagement soon became general.

The contest chiefly lay between the Marseillois and the Swiss. The national guards within the palace appeared at a loss what party to take. Either way a semblance of duty appeared to disarm them, and withhold them from active measures. The gendarmerie were in the same situation, and a party of them who had their station near the coach-houses, were at one time raked by two fires from the Swiss and the rebels, and out of one hundred men, lost twenty-five in this inglorious inactivity. After a most gallant resistance of more than an hour, in which the Swiss were frequently victorious in different parts, these brave men, from the want of ammunition, and overpowered by numbers, were obliged to give way. The banditti, enraged instead of being interested by their gallantry and fidelity, pursued the fugitives with the rancour of savages, and the victory was converted into
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to a massacre. The national guards, either from policy or from that enthusiasm which we know to be contagious, united with the populace in the extermination of those whom but just before they had regarded as their fellow-soldiers. All the Swiss who were in the palace were murdered; many of them on their knees imploring quarter. A small party of seventeen had taken refuge in the vestry-room of the chapel; and as they had not been engaged from the first, they imagined that they might secure the clemency of their victors by surrendering at discretion, and shouting *Vive la Nation!* but they no sooner laid down their arms, than they were put to death. Another party attempted to escape through Marfan Court; about eighty were killed, the remainder secreted themselves in hay-lofts, and in other lurking-places; some persons lent them clothes to disguise themselves, and a few of them consequently escaped, but several afterwards died with hunger and fatigue.

The gentlemen who remained in the palace saw no alternative at this formidable crisis, but to proceed as well as they could to the national assembly. The only possible road was through the queen's gate; they rallied all the Swiss whom they found dispersed in their way, and as many of the national guard as still retained their fidelity. The number of the fugitives might amount to five hundred; but as only one person could pass through the gate at a time, they were exposed to a continual fire from several battalions stationed at about thirty yards distance; and as the red uniform of the Swiss attracted particular notice, these devoted strangers were still the greatest sufferers.

Of the remainder some escaped by the gardens, and others in small parties made good their progress to different parts of the city, where, upon dispersing, they were secreted and saved by the humanity of individuals. It is however with pain that we find ourselves obliged to add, that of this fine and gallant regiment of Swiss, the whole number that survived the massacre did not amount

amount to two hundred. These, by a decree of the assembly, were put under the protection of the state.

58 The defenceless victims, who were found in the palace, were all involved in one promiscuous massacre. The gentlemen ushers, the pages, those who were in the lowest and most servile offices, were slaughtered without discrimination. Streams of blood defiled the edifice of the Tuilleries from the roof to the foundations. The shocking barbarities which were practised on the dead bodies of the Swiss it would be offensive to decency to relate. The massacre was followed by a general pillage of the palace. Some chests indeed, containing papers and assignats, and even some of the royal plate, were taken from the plunderers, and brought into the hall of the national assembly.

The massacre within the palace was the signal for assassination without. The resentment which the resistance of the Swiss had excited was directed even to the porters at the coffee-houses and hotels, who go under the general appellation of Swiss, and several of them were murdered. M. Carl, lieutenant-colonel of the foot gendarmerie, was killed in the afternoon on coming out of the Logographic lodge where the royal family were; and M. d'Hermigny, a colonel of the gendarmerie, met his fate in the square before the Hotel de Ville.

Of all the victims of popular phrensy on this memorable day, none is more to be deplored than M. Clermont Tonnerre. Our readers must recollect, that no man had rendered more eminent services to the cause of liberty in the commencement of the revolution than this unfortunate gentleman; and even when he ceased to act with the popular party, his opposition was always respectable and temperate. It would perhaps have been happy for France if the maxims of moderation which this great man inculcated, had been more favourably attended to even in the constituent assembly. He was undoubtedly the friend of liberty, but he thought liberty better secured by not attempting too much. His attachment to
limited

limited monarchy had rendered him odious to the populace in the present moment of delusion, and his abilities marked him out to their demagogues for destruction. On the morning of the 10th he found his house surrounded by a mob, under the pretence that arms were secreted there; at the same time he received an order to appear before the committee of his section. While he remained there, his house was searched and his innocence acknowledged. Conscious of the rectitude of his own intentions, he had the imprudence to venture to return through the midst of the mob, whose violence he restrained for a considerable time by the charms of his eloquence and address. A servant whom he had dismissed for some offence is said to have embraced this opportunity to gratify his revenge, by continuing to exasperate the fury of the multitude. It is to be lamented that his efforts were too successful.

While these disgraceful scenes were acting, the national assembly still proceeded, in its own phrase, "to deliberate." But its deliberations were no longer *free*; they were over-awed by a clamorous multitude in the galleries, and by troops of ruffians without, who threatened the lives of those who dared to think, to speak, or act for themselves. The stoutest hearts were appalled, and in haste and confusion, a series of decrees were drawn up and passed, "declaring the executive power suspended; the authority given by the constitution to Louis XVI. from that moment revoked; and inviting the people to meet in primary assemblies, and to form a national convention," which by a subsequent decree was appointed to meet on the 20th of the ensuing month, September. On the following day the ministers appointed by the king were declared to have forfeited the confidence of the nation, and a new executive council was appointed, and consisted of M. Roland for the home department; M. Servan for that of war; and M. Claviere for the finance. M. Le Brun was nominated

minated minister of foreign affairs, M. Danton, minister of justice, and M. Monge of the marine.

A decree of accusation was afterwards passed against M. d'Abancourt, the late minister of war, for not having dismissed the Swiss guards; and this was soon after followed by another against M. la Porte, the late intendant of the civil list.

Thus in a single day was destroyed, by an armed mob, an edifice which had employed the first abilities of France for three successive years in its erection. The French nation, it must be confessed, have evinced more prompt abilities for destroying than for building up, and the paradoxical appellation of "architects of ruin" could not have easily found a happier application. This policy (if it can deserve the name) is surely neither happy in its designs nor in its effects. It is easier to correct and to amend than to produce a fresh creation, out of chaos to establish order by a motion of the magic wand. It is extremely unwise totally to annihilate a system, before another is prepared to substitute in its room. The constitution of 1789 certainly abounded with defects; but it would have been safer gradually to rectify these, than to deliver over the nation for an indefinite space of time a prey to anarchy, licentiousness, and disorder.

Of the guilt or innocence of the king, posterity will speak in more decisive terms than we are able at present. If he was really a party to the league of despots which was formed for the ruin of his country, the fact will certainly extenuate, if not justify, the violences of the 10th of August; but in the mean time, the evidence which has hitherto come before us, allows us to charge him with no design more criminal than that which reason and candour must approve, and which there is room to believe was that of Rochefoucault, of La Fayette, and the most disinterested patriots of France; that of removing his person, and those of the members of the legislature, from the degrading insults, the pernicious influence, and the alarming outrages of the Lazzaroni of Paris; and till
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Some such measure shall be adopted, whether the *form* of government be republican or aristocratic, it is but too certain that France will not enjoy the benefits of any government at all, but both her executive and legislative powers must languish under the horrid tyranny of a faction, and that faction will be the most profligate and unprincipled that the whole nation can furnish.

From the example of France, free states may in after-ages derive some instructive lessons. Supposing the utmost that the republicans assert to be true; supposing that the treachery of the king had rendered his deposition necessary, and that the assault on the Tuilleries was the laudable effort of a great nation to liberate itself from impending slavery; still the course which that party afterwards pursued was neither wise, patriotic, nor humane. They established their power not by conciliatory measures, but by persecution; not by justice and wisdom, but by assassination and massacre. The insults offered to the fallen monarch were only calculated to render him a more interesting object; the prosecution and execution of the inferior agents of royalty could be of no use where royalty was no more, and was only calculated to increase the number of the disaffected party. If it was necessary to abolish monarchy, and to summon a convention, past experience should have dictated the necessity of assembling that convention in another part of the kingdom; and a form of a constitution ought to have been ready to present to that body, as soon as it was prepared to receive it.

Other free states instructed by this example, when they find it necessary to reform their government, will beware of employing the ministry of the populace to effect this difficult undertaking. They will study rather to improve than to overturn; and their decisions will be the result of investigation rather than of impulse; they will be voted not by acclamation, but after serious debate and temperate deliberation. They will provide against the audience being more
numerous

numerous and more powerful than the legislature itself, and will protect it from the degradation of being influenced by clubs. A reform conducted upon these principles will cease to be that object of terror and abhorrence which French anarchy has rendered the very word itself; and the selfish or senseless only will clamour against it.

Another caution will be suggested by these proceedings to those who attempt revolutions by illegitimate means. The most active conspirators of the 10th of August have, we believe, already heartily repented of the act. Some of them have since been sacrificed to the very means which they employed themselves; the rest behold themselves supplanted in the favour of the populace by a more vigorous but perhaps more atrocious faction. They have sown, and others have reaped; the guilt and the danger was theirs, but Robespierre and Danton have obtained the reward.

After much deliberation, the hotel of the minister of justice was chosen as the habitation of the fallen monarch and his unfortunate family; but on the representation of M. Manuel, who stated, that in that situation the municipality could not charge themselves with being responsible for the person of the king, the place of confinement was changed to the Temple.

The phrensy of the populace did not subside for some days after the storming of the palace. It assumed indeed not the formidable aspect of a general insurrection, but it was no less savage and dreadful in its effects. Several atrocious assassinations were committed, and among others the respectable Rochefoucault fell a sacrifice to his attachment to the king and constitution. After having, with the rest of the department, been concerned in the suspension of Pétion and Manuel, he found it no longer safe to remain in Paris. He retired to his own estate, but the bloodhounds carefully tracked his steps, and he was scarcely arrived before he was assassinated; his own tenants
either

either aiding in the murder, or at least looking on with criminal stupefaction.

The absurd rage of the democratic mob on the days succeeding the 10th of August, was not confined to the living objects of their resentment; but with a barbarity which has rendered proverbial the northern ravagers of Europe, they demolished every vestige of art which had the remotest relation to monarchy or aristocracy: even the statue of Henry IV. so long the idol of the patriotic party, was broken in pieces, merely because it was the statue of a king. The busts of M. M. Neckar, La Fayette, Mirabeau, and all the leading members of the constitutional party, were also fought out with a ridiculous assiduity, and demolished.

On the night of the 12th the assembly, apprehensive of a formidable opposition from the army of La Fayette, dispatched three commissioners of their own body to counteract the movements of that general. M. la Fayette, however, by a singular accident, was previously apprised of the events of the 10th. He had sent M. Darblais, one of his staff officers, with dispatches to the war minister. M. Darblais, on the morning of the 11th, had advanced almost within sight of Paris, when he was met by a grenadier of the national guards, who apprised him of his danger, and advised him to change horses and return with all possible speed. At Sedan, on his way back, he found M. la Fayette, who, after stating the facts to the magistrates of that town, advised them, in duty to the king and constitution, to arrest the commissioners, who accordingly, on their arrival there, were seized, and detained in prison from the 14th to the 20th.

In the mean time M. la Fayette returned to the camp; and immediately distributed among the battalions the following letter:

“CITIZEN SOLDIERS,

“It is no longer time to conceal from you what is going forward: the constitution you swore to maintain

tain is no more; a banditti from Marseilles, and a troop of factious men, besieged the palace of the Tuilleries; the national and Swiss guards made a vigorous resistance, but for want of ammunition they were obliged to surrender.

"General d'Affry, his aids-de-camp, and his whole family, were murdered.

"The king, queen, and all the royal family escaped to the national assembly; the factious ran thither, holding a sword in one hand, and fire in the other, and forced the legislative body to supersede the king, which was done for the sake of saving his life.

"Citizens, you are no longer represented; the national assembly are in a state of slavery; your armies are without leaders; Petion reigns; the savage Danton and his satellites are masters. Thus, soldiers, it is your province to examine whether you will restore the hereditary representative to the throne, or submit to the disgrace of having a Petion for your king."

The general, at the first moments when this communication to the soldiery was made, found their dispositions not unfavourable to the cause of the constitution; but he soon discovered that fidelity was only to be expected from a small circle of his friends. Apprehensive therefore that, in the spirit of revolt which his army manifested, his life would be attempted by some assassin, or that he would certainly be delivered up into the hands of his adversaries, on the 19th of August he left the camp in the night, accompanied only by his staff and a few servants. They took the rout of Rochefort in Liege, which being a neutral country, they hoped to pass unmolested; but an Austrian general of the name Harancourt, being stationed there with an advanced party, arrested the fugitives, contrary to the law of nations, and sent them prisoners to Namur.

We are sorry to add, that these unfortunate exiles have ever since been detained the victims of tyranny. and confined in a noisome dungeon, for no other
crime

etime, or rather under no other pretext, than that of having been members of the national assembly of France.

The fate of this brave and disinterested patriot is not calculated to exalt our opinions of human nature; on the one hand we behold him abandoned by the people, for whom he had made so many sacrifices; on the other, oppressed by a combination of kings, while his attachment to the cause of monarchy is the source of his calamity. That M. la Fayette is a character without a blemish, would be too bold an assertion to be made of any human being. His error was the error of a young and ingenuous mind, which, in its ardent zeal for the liberty and happiness of his fellow creatures, did not permit him to distinguish what was practicable from what was merely speculative and visionary. A more temperate and mature judgment would perhaps have led him to oppose that fatal degradation of the executive power, which proved the ruin of authority, of government and order, in France: but in this he was no more guilty than the rest of the constituent assembly; and though in his judgment he may have erred, in his principles we must allow him to have been always consistent. Faithful to his oath, to his king, to his engagements, he was among the first to oppose the seditious designs of the Jacobin club, and among the most distinguished of those who contended for the maintenance of order and civil obedience. To have received with cordiality the illustrious confessor of regulated liberty, would have been noble and magnanimous—To imprison and persecute virtue and valour in distress, was mean and dastardly: but, from Tiberius to the present times, cowardice has been the uniform characteristic of tyranny.

General Arthur Dillon, influenced by the counsel, and perhaps by the character and example of M. la Fayette, seemed at first inclined to imitate his conduct; and by the orders which he published to his army on the 13th, he excited so strong a suspicion

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against him, that a decree was actually passed for his suspension. He however was so fortunate as to retract in time; and upon the arrival of the commissioners of the assembly at Valenciennes, he found means so completely to conciliate their esteem, that the decree was repealed, and he was again reinstated in his full authority.

The politic Dumourier, who had assumed the command at Maulde, saw from the first the party which it was necessary to embrace, and anticipated the wishes of the assembly, by applauding the new revolution even before the arrival of their commissioners: by this fortunate step he regained the entire confidence of the republicans, which he had lost by his continuance in the ministry, and in consequence was afterwards appointed to succeed M. la Fayette in his command.

Marshal Luckner took the same decided part. In his letter to the assembly, he even insinuated that it was the treachery of the court which had compelled him to retreat in the midst of victory from the Netherlands; and added, "that now the king was deposed, he hoped he would not be ordered to retire when he next entered the Austrian territories."

Generals Biron, Montesquieu, Kellermann, and Custine, all submitted to the authority of the assembly, and of the provisional council of state, and took the republican oaths, as well as the soldiers of their respective armies.

Though the force of La Fayette had been trifling in comparison with that of his adversaries, as it did not exceed twenty thousand men, still he had contrived to keep the Austrians and Prussians in check, and they had made but little progress towards the subjugation of France. The confusion, however, which the transactions we have just narrated had produced encouraged the combined armies to advance, and the first conquest achieved was that of Longwy. On the 21st of August, general Clairfait presented himself with an army of sixty thousand men before that fortress. The siege lasted about fifteen hours, during which

which time the enemy kept up a continual and heavy fire of bombs and artillery. The commandant reported, that the magistrates and citizens, terrified by the bombardment, had insisted upon a surrender, and that he had only complied with their requisition; on the other hand it was suspected, and not without some ground, that nothing less than treachery in a commander could compel a garrison of two thousand five hundred men, well appointed, in a place strongly fortified, and defended with seventy-one pieces of cannon, and excellent casemates, to surrender upon so short a siege. Upon further inquiry these suspicions were confirmed. M. Lavergne the governor was ordered to be tried by a court-martial: and a decree of the assembly was passed, that whenever it should be retaken, the houses of the citizens should be razed to the ground, and the magistrates prosecuted for high treason.

The capture of Verdun almost immediately succeeded that of Longwy. It was summoned by the duke of Brunswick on the 31st of August, nor did the example of the punishment to be inflicted on Longwy deter the inhabitants from becoming the dupes of their apprehensions. As Longwy, therefore, was lost by the treachery of the commander, Verdun was reduced by the cowardice of the citizens. Distrustful of the incivism of the officers after the affair of Longwy, the assembly, by their decree, vested power in the municipality to controul the deliberations of the council of war. M. Beaurepaire, the governor, was desirous of defending the town to the last moment; but the municipal officers were determined in favour of a capitulation, and there was imminent danger that the soldiers would be attacked by an enemy within as well as without. The governor, therefore, after much opposition, finding himself completely outvoted, drew a pistol, and shot himself dead upon the spot. The consequence was, that the garrison capitulated, and the Prussian troops entered on the 2d of September.

Immediately

Immediately on the deposition of the king, the ambassador of Great Britain was recalled, with, however, an assurance of friendship and neutrality on the part of his court.

Nearly about the same period a decree was passed against M. la Fayette, declaring him guilty of high treason. M. Barnave, M. Alexander Lameth, and some others of the constituent assembly, were committed to prison, on the charge of a counter-revolution; which however appeared to be founded merely on a vague mention of their names as friends to the king, in some papers which were said to have been found in ransacking the Tuilleries.

The plea in favour of republican government is, that it is a government which is calculated to afford equal protection to all classes of men; that it admits of no oppression, because all have equal rights, and all are interested in the preservation of them. The practice of republicans in all ages has been very inconsistent with these professions; but in no instance has this inconsistency been more glaring than in the conduct of the republicans of France. Whatever apologies may be urged for the savage fury of an irritated people on such an occasion as the storming of the Bastile or the Tuilleries, there can be none for the blood which streamed from the scaffolds; there can be none for the condemning in a cool and deliberate manner to death, with the forms indeed, but without the substance of justice, upon evidence the most vague and incorrect, honourable men, whose only crime was that of having served the fallen monarch with fidelity. M. Delessart, the friend and confidant of Neckar, was beheaded at Orleans, on a futile charge that he knew of the convention of Pilnitz for a considerable time before he communicated it to the assembly. M. Dangremont, the late paymaster of the king's guards, suffered at Paris on the 1st of September, on evidence equally frivolous. M. la Porte, intendant of the civil list, was executed at the same time, for no other crime than that of distributing money

ney to certain writers in favour of monarchy. M. Durosoy, and some others of less note, were also evidently sacrificed to the temporary delusion and prejudices of the people.

The assembly lost no time in putting in force, with the utmost rigour, the projected decrees against the refractory clergy. On the 19th of August, the decree for transporting from the kingdom such of the priests as had not taken the civic oath was revived in the assembly, and passed by acclamation. The distress and misery, which many worthy individuals suffered in consequence of this decree, cannot be sufficiently deplored. Many of these victims of conscience were hurried from their connexions and their friends, and landed almost naked and penniless on a foreign shore; some were committed to prison, there to remain till a mode of conveyance out of the kingdom should be found; some were massacred by the populace soon after they were arrested: and no inconsiderable number were reserved for the melancholy catastrophe, to which we shall have speedily to advert.

It will remain to the latest ages a monument of British hospitality and British liberality, that several thousands of these unhappy fugitives were received in England, and supported for upwards of twelve months, by *voluntary subscription*; that all parties joined in the promotion of this truly christian undertaking; that no prejudices, religious or political, could stifle the voice of humanity, or eradicate from the hearts of Britons that generous philanthropy, which has always been characteristic of the nation.

Of the atrocities, which we have now to relate, the origin and causes are involved in obscurity. By the one party, they are charged upon a wicked and sanguinary faction; and by the other, that is, the faction to whom they are charged, they are represented as the instantaneous effort of popular resentment. We shall state the facts, as far as they are known, and leave the reader to form his own conclusions.

The capture of Longwy, and the approach of the Prussians,

Prussians, spread an instantaneous alarm through the metropolis, and even the assembly itself partook of the contagion. The rumour was, that the enemy intended to leave the fortified places behind them, and proceed immediately to Paris; and this was followed by continued reports that the duke of Brunswick was within a few hours march of the capital. At this disastrous moment, suspicion lodged in every heart, and terror was depicted upon every countenance. Danton, a man who from a low origin (with only the advantage of a tolerable education, for he was bred to the law) had raised himself by his abilities and his boldness to the situation of minister of justice, and who certainly projected the plan of dismissing the old municipality on the night of the 9th of August, stood forth in the assembly on this memorable emergency. He observed, that there were more than eighty thousand stand of fire arms in Paris, in the hands of private persons: with these he proposed to equip a volunteer army, who, instead of waiting for the approach of the enemy, should sally forth to meet the danger. Six commissioners from the assembly he proposed to send to the sections to accelerate the enrolments; and a body of cavalry, he added, might be equipped from those horses which were kept for pleasure. The plan was instantly adopted, and a decree was passed, ordering all citizens, who were not prevented by age and infirmities, to hold themselves in readiness to march at a moment's warning; and this was followed by another for the disarming of all suspected persons.

We have had but little occasion, since the termination of the constituent assembly, of which he was a member, to mention M. Robespierre. He had, however, since that period, occupied the station of public accuser, and at the time of which we are now treating, was at the head of the Jacobin fraternity, and had been chosen, as well as Marat (a Prussian, who existed by writing libels on the government, and by publishing a scandalous Journal) a member of the
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new commune, on the night of the 9th of August. These two men were intimately connected with Danton, the minister of justice; and to this triumvirate the horrors of that dreadful massacre, which we have now to relate, have been ascribed. Since the affair of the 10th of August, Petion had lost part of his influence with the populace, and Robespierre had proportionably risen in their esteem. His sanguinary and unfeeling temper was more suited to their habitual and savage cruelty; and, as he is illiterate himself, his eloquence is of that species which is most adapted to vulgar apprehension. In the Jacobin club, this man had been unremittingly clamorous for the trial of the state prisoners; and by his endeavours to satiate the barbarous revenge of the populace, he gained upon their affections.

Whether from a concerted plan to produce a general massacre, in which it is insinuated many of the members of the assembly were to be included; or whether it was simply intended to excite the ardour of the people to the defence of the country, is yet undetermined; but certainly the mode pursued by the commune on the 2d of September was pregnant with danger to the tranquillity of the city. Instead of ordering the enrolments of volunteers to be made in their respective sections, with order and quietness, they commanded the alarm-guns to be fired at two o'clock, the tocsin, or alarm-bell, to be sounded, the country to be proclaimed in danger; and they summoned the populace to meet in the Champ de Mars, whence they pretended they were to march in a body to meet the approaching enemy.

The alarm guns were fired, the tocsin did sound, but it was not the knell of the Prussians, but of the unhappy prisoners confined in the gaols of Paris. The people did assemble, not to defend, but to exterminate their countrymen. It is a debt due to justice, however, to exonerate the citizens in general from the crimes of that day. The majority of the people, though greatly agitated by the alarm which was given, repaired

repaired not to the Champ de Mars, as these magistrates of murder and insurrection had wished, but, as it were by instinct, to their respective sections, and there entered their names as the soldiers of liberty.

A considerable multitude, however, was brought together. It was composed (as the Gironde* assert) partly of hired assassins, and men selected for the purpose of producing a tumult and a massacre, partly of the Marsellois and the remnant of the other federates, and partly of an immense multitude attracted to the scene of riot by their curiosity or their fears. It is however uncertain, after all that has been said by both parties, whether the massacre was a preconcerted measure, or the spontaneous impulse of a part of the populace. It is not very improbable that some of those, who had lost friends and relations in the affair of the 10th of August, might be sufficiently exasperated against the state prisoners (whom they considered as the authors of their misfortunes) to make the horrid proposal. Be this as it may, we can only report, that the resolutions of the assembly were scarcely announced, when a number of voices exclaimed, "that they were ready to devote themselves to the service of their country, and to march against their foreign enemies; but they must first purge the nation of its domestic foes." Without further deliberation, a party of armed men proceeded to the Carmes, where a number of the non-juring priests were detained till an opportunity should occur of putting in force their sentence for banishment; and there, in cold blood, the remorseless assassins sacrificed every one of these defenceless and probably innocent men.

From the Carmes they proceeded to the Abbey prison, in which were confined the Swiss officers, and those

* The more moderate party, including Petion, Brissot, Genfonne, Vergniaud: they derived their appellation from the department of Gironde, the deputies of which were among the leaders of the party. The opposite faction was called the Mountain, from its occupying the high seats in the hall of the convention: Robespierre, Danton, Marat, &c. may be considered as the leaders.

those arrested for treasonable offences against the nation on the 10th of August. The murderers proceeded with a kind of method in their crimes. They impanelled a jury, nine of whom it is said were Italians, or assassins from Avignon, and the other three French. Before these self-constituted judges the wretched prisoners underwent a summary examination. The watch-word that pronounced the culprit guilty was "Il faut le largir" (he must be set at liberty) when the victim was precipitated from the door, to pass through a defile of miscreants differently armed, and he was cut to pieces with sabres, or pierced through with innumerable pikes. Some they acquitted; and these were declared under the protection of the nation, and accompanied to their respective homes by some of the banditti.

The whole of the staff-officers of the Swiss guards were massacred, except their commander, M. d'Affry. He had been a democrat from the first of the revolution, and when urged by the queen to assume the command in the Tuilleries on the 10th of August, had voluntarily absented himself. The assassins continued the whole night of the 2d at the Abbey, and the prison of the Chatelet, whence they proceeded to the prison of La Force, where the ladies of the court, who were arrested on the 10th of August, were confined.

In this dungeon was the beautiful and accomplished princess de Lamballe, the friend and confidante of the queen. When summoned to appear before the bloody tribunal, she was in bed, and was informed by the person who delivered the message, that it was only intended to remove her to the Abbey. She begged, in return, to remain undisturbed, since to her one prison was as acceptable as another. Being informed that she must appear immediately before the tribunal, she dressed in haste, and obeyed the summons. In the course of her interrogation, no crimination against the queen or royal family could be extorted from her, and it is said it was the intention of

the judges to acquit her. As she was conducted, however, out of the prison, stupefied with horror at the mangled bodies that lay around her, she received from behind a blow on the head with a sabre, which produced instantly a violent effusion of blood. In this situation she was supported by the arms by two men, who forced her to continue her progress over the dead bodies. As she fainted every moment from loss of blood, like Cæsar she was solicitous to fall in a decent attitude; and when at last she became so enfeebled, as to be able to proceed no further, her head was severed from her body. The mangled corpse was exposed to every kind of indignity, and the head, fixed upon a pike, was carried to the Temple and shewn to the unfortunate queen who fainted at the horrid sight. It was afterwards carried in triumph round the streets of Paris, and particularly to the Palais Royal, where it was recognized, probably without much feeling, by her brutal relations: madame de Tourzelle and her daughter, and some other ladies, who were confined in the same prison, were spared.

These dreadful massacres lasted the whole of the 2d and 3d of September. At the Abbey prison one hundred and fifty-nine were massacred, exclusive of M. M. d'Angremont, Rosoy, and De la Porte, who had been previously beheaded; at the seminary of St. Firmin, ninety-two unfortunate victims suffered; at the Carmes*, one hundred and forty-one; at the Hotel de la Force, one hundred and sixty-eight; at the Chatelet, two hundred and fourteen; at the Conciergerie, eighty-five; at the Bicêtre, one hundred and fifty-three; and at the cloister of the Bernardins, seventy-three; in all amounting to the shocking number of one thousand and eighty-five†—including however, a considerable number of felons, who were imprisoned for forging assignats, and for other crimes.

* The convent of the Carmelites.

† There were also some murders committed at the Salpêtrière, and on the Pont-au-Change.

The number of the assassins has been variously reported. They were at first supposed to amount to many thousands; but the general opinion is, that they did not exceed two or three hundred. It is evident however, that the national assembly considered them in a formidable view, or they would have taken some more effective measures than that of sending commissioners, from time to time, to dissuade them from their violence. It is probable that the number would at first be greatly exaggerated by report, and that the multitude who followed, from curiosity or the hope of plunder, greatly exceeded those who were actually engaged in the murders.

The friends of Petion assert, that he took every method to prevent the perpetration of these misdeeds, but that he spoke in vain, while the minister of justice remained silent. M. Roland wrote repeatedly to M. Santerre; and the national guards were all ready in their sections, waiting the orders of the commander in chief to disperse the mob; but there is too much reason to suppose Santerre an accomplice in the plot, if there was one, since he took no measures whatever to prevent these atrocities.

It was in vain that the deputies dispatched by the assembly exhorted the populace. M. Montmorin, the late mayor of Fontainebleau, though he had been acquitted by a jury, was murdered in the sight of the deputies. During this period of general confusion and horror, several miscreants availed themselves of the circumstance, to gratify their private animosity, and some individuals were assassinated in different parts of the city.

The example of Paris was fatally imitated in other places, particularly at Versailles. The prisoners who had been confined at Orleans for state offences, were ordered thither by the national assembly on the 8th of September. The preceding evening a party of assassins proceeded from Paris, most of them in post-chaises, and, as soon as the prisoners arrived, massacred them on the spot. The inhabitants of Versailles

saillies stood stupefied with horror, and even the detachment which had guarded the captives from Orleans stood passive spectators of the massacre. Thus perished the duke of Brissac, the bishop of Maudes, and about thirty others. At Lyons also some prisoners were massacred on the ninth.

The anarchy which succeeded the 10th of August was not soon composed. On the 17th of September a band of ruffians broke into the *Garde Meuble*, and robbed it of an immense quantity of jewels, and other valuable effects, the greater part of which have never been recovered.

Before we close our account of the proceedings of the national assembly, it is proper to mention a decree which was proposed by a distinguished member, M. Jean Debry.—The substance of this singular proposal was, “To levy immediately a corps of twelve hundred volunteers, whose particular object should be to attack the commanders of the hostile armies, and the kings who were the authors of the war; that these volunteers should be equipped in a manner the best adapted to the purpose, and that on each a pension for life of two thousand livres (100*l.*) per ann. should be settled, with the reversion to their descendants to the third generation.”

The motion was opposed by M. Vergniaud and others, and a kind of previous question moved upon the occasion, viz. to refer the matter to the committee of safety.

The discussion was curious and important.—It was observed by the opponents of Jean Debry, that the proposal was unworthy a free and enlightened nation; that assassination was an expedient against which all the generous feelings of humanity revolted; that it might be practised as well in a bad as in a virtuous cause; as well by the tyrant as by the most patriotic spirit; that in the present instance it would infallibly produce reprisals; that if a band of tyrannicides should be formed by France, whole brigades would
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be formed by the enemy, for the purpose of exterminating her commanders.

In reply to these observations it was urged, that of all the calamities that afflict human nature, *war* is most to be deprecated and deplored; that any expedient which could be devised for preventing so great a crime and so dreadful an evil must be laudable. Kings, it was said, are the sole authors of wars; to gratify their caprice, their avarice, or ambition, they in cold blood devote millions to misery and to death; unfeeling cowards, they repose at home in security and luxury, remote from the danger, and feast upon the miseries they have occasioned. Which then is the lesser evil? to devote *one* man to death, or expose whole nations to ruin, to devastation, to wretchedness, to slaughter? The guilt of war lies wholly with the kings; the punishment falls entirely upon their innocent subjects: but let kings once fear for their personal safety, and wars will for ever be at an end.

With respect to reprisals, it was allowed, that such a decree would certainly provoke them; but it was urged on the other hand, that the combined kings could not be more exasperated against France than they were already; that whether the decree was passed or not, every means would be employed for the destruction of those who were invested with any authority or command; and that even the duke of Brunswick's manifesto was in substance a decree to that very effect, and breathed exactly a similar spirit of sanguinary vengeance.

The proposal was virtually rejected by agreeing to refer it to the committee.

The advances of the combined armies since the 10th of August had been rapid and formidable. On the 30th of that month, general Dumourier called a council at Sedan of all the general officers who were then in that district, M. Dillon having been ordered from Valenciennes on purpose to assist at it. He explained the distressed state of the French army, and observed, that after taking possession of Longwy, the enemy

enemy had proceeded to Verdun, and it was yet uncertain whether or not they would undertake the siege of Montmedy. The Prussian army amounted to full fifty-five thousand chosen men; Clairfait with sixteen thousand had taken post at Chiers, to the right of the Prussians; and a second column of Austrians, commanded by Prince Hohenloe, advanced to their support, and were followed by the Hessians and emigrants, whose numbers were reputed to be extremely formidable.

In this council it was determined that the French were by much too weak to attempt to face so immense a force, or to prevent it from passing the Meuse, which was fordable in sixty-nine places from Verdun to Stenay. In the mean time general Dumourier had dispatched general Galbaud with two battalions of infantry to support Verdun; but from what has been already related, our readers will have anticipated the event, which was, that the attempt proved entirely fruitless.

On the 31st, the Austrians took possession of Stenay, after a slight skirmish with the vanguard commanded by general Dillon, which consisted only of five battalions of infantry, and fourteen squadrons of light-horse: the national guard of Stenay retreated and joined general Dillon, who took post at Mouzon, close by the army of the commander in chief.

The whole of Dumourier's force at this time was scarcely equal to the single division commanded by general Clairfait, who must have been ignorant of his opponent's weakness, or he would scarcely have neglected to attack him. With this small army, the only resource to the French generals appeared to be, to bury themselves in the thick forest of Argonne. On the third of September Dumourier fell back to Grand Pré; and general Galbaud, not being able to throw himself into Verdun, had taken post on the side of Biesme in a strong position.

In this critical situation the genius of the French commander rose superior to circumstances; and so
far

far from being discouraged by the inferior force of his army, he determined still further to weaken it. He saw the infinite importance of the pass in the forest of Argonne on the side of Biesme, where general Galbaud was stationed, and on the 4th dispatched general Dillon with a strong detachment to take possession of it. General Galbaud on the moment of Dillon's approach had abandoned the pass in utter despair, but on his arrival immediately resumed it. On this circumstance the whole fate of the campaign afterwards depended, and the pass of Biesme was the Thermopylæ of France.

The space which, with a force so inconsiderable, was occupied by the French generals Dumourier and Dillon, is supposed to have extended to thirty miles; their chief hope rested on the reinforcements which they expected to receive, and their object was to maintain their posts till these succours should arrive. On the 14th of September, the pass at Grand Pré was attacked—A panic seized the whole of M. Dumourier's army, and he was obliged to retreat towards St. Menehould: the Austrians however in this action lost prince Charles de Ligne, who was killed, with a number of men. On the 17th general Dillon was attacked in his post at Biesme, but the enemy was repulsed, with little loss on the part of the French. The Prussians next advanced towards Chalons, and encamped on the heights of La Lune; but Dumourier in the mean time had received a reinforcement from Pont sur Sambre. General Bournonville had also raised the camp at Maulde, and joined the army with thirteen thousand men, and Kellermann with the southern army soon after arrived.

On the 20th of September the French were first enabled to arrest the victorious progress of their adversaries. On that day, general Kellermann, whose division consisted of not more than sixteen thousand men, was attacked by a body of troops greatly superior both in number and in discipline. The determined bravery of the French baffled all the skill of their adversaries.

adversaries. The duke of Brunswick, who commanded the Prussians, attempted repeatedly to surround Kellerman, but Dumourier constantly presented himself and frustrated his manœuvres. Kellermann sustained the attack for fourteen hours, and retained his post till ten o'clock at night, and then took another more advantageous position to the right of the enemy, who suffered him quietly to make this movement, though it was not completed till the next morning. All parties are agreed in commending the firmness and order which was displayed on this occasion by Kellermann's line. The artillery of the enemy made not the smallest impression upon it, while the German soldiers were only kept to their guns by the discipline of the cane.

On the same day general Dillon was again attacked at Biesme; but having posted, under the cover of the wood, a long file of musketeers to gall their flanks on their approach, the enemy after a smart discharge of their howitzers, which however did not wound a single man, precipitately retreated.

The advantages resulting to the French from the events of this day were incredible. It lessened their apprehensions of the enemy, and gave them a confidence in themselves. It proved to them also the advantages of order and military obedience, and taught them to place some reliance upon their generals, and to resist those disgraceful panics, with which the armies in the beginning of the campaign had been affected, chiefly by the machinations of traitors.

The French army were, notwithstanding, still in a situation of great delicacy and danger. The Austrians and Prussians were still nearly thrice their number; Clermont and Varennes were both in the hands of the enemy; at Grand Pré the Prussians had established their hospital, and their camp on the heights of La Lune was impregnable. Thus on three sides, to the east, north, and west, the French were completely inclosed; and to the south the roads were almost impassable. The inclemency of the season and the barrenness

bareness of the country saved the army of the republic at this period.

The pass which general Dillon had so fortunately seized, and had occupied ever since, proved an insurmountable obstacle to the duke of Brunswick's penetrating by the nearest route to Paris; and finding it impossible to dislodge the French, he determined to make the circuit of the forest by Varennes and Grand Pré, a circuit of about fifty miles. The length of this march and the great inclemency of the season laid the foundation of that fatal disease, which afterwards proved more destructive than the swords of the French. To complete their misfortune, the rivers were so swollen that their supplies were almost entirely stopped, and the combined army was actually without bread for four days, the want of which the soldiers very imprudently endeavoured to supply by the unripe grapes of Champagne.

Such probably were the circumstances which induced the duke of Brunswick to propose an armistice, and desire a conference with the French general on the 24th. Various conjectures have been entertained concerning both the motives and the object of this convention. We shall not waste time in examining minutely the grounds of these speculations; let it suffice to say, that there is no evidence to induce us to concur in the report, that the mistress or the ministers of the king of Prussia had been bribed by the French; but on the contrary, there is reason to believe that nothing but the duke's conviction of the impossibility of conquering France produced this concession.

It is something singular, that the confederate kings who professedly made war upon the constitution of 1789, should now (after the loss of so much blood and treasure, after having wantonly disturbed the peace of France, and done irreparable injury to their own subjects) desire only as *their ultimate object the re-establishment of that constitution*. It is a fact scarcely to be credited, that the same duke of Brun-

wick, who in the month of *July* prostituted his name by affixing it to the disgraceful manifesto, in which he professed his intention of restoring to the king of France the full exercise of his former functions; in which he pronounced an irrevocable sentence of death upon *all* the members of the national assembly, and other public functionaries acting under the constitution; that in the month of September he should acknowledge the full authority of the French nation to give laws to itself; that he should entreat only for the personal fate of the king; that he should with his own lips request it as a favour, *that any place whatever might be assigned him* (the king) in the new order of things; and that by his confident Manstein he should say to Dumourier—"Make him your king under the strictest limits. Do not content yourselves with tying him up like the king of England—Make him a king of Mahrattas—Make him a stadtholder—Make him the principal *tax-gatherer* of the country—Give him only a place—that is all we ask—and then we shall have a pretext for retiring."

While we feel it our duty to expose the inconsistencies of despotism; while we acknowledge that no part of the conduct of Prussia is to be attributed to a virtuous motive; while it is evident that the imprudent and criminal conduct of the combined courts proved the destruction of the unfortunate Louis, and that they would now retract only because they were too late made sensible of their folly; still we cannot help regretting that this moderate language, let it proceed from what motive it would, was not attended to by the legislature of France. They were bound by all the most sacred duties to give peace to their bleeding country, and the boon which was required by the king of Prussia was the most moderate that could be asked: if ever so strongly bent upon a republican government, a splendid title, without power or without wealth, conferred upon their former monarch, could not have injured the real interests of the democracy. Such conduct would have been true policy:

policy: by forming an alliance with Prussia, France would have cut the very sinews of the confederacy that had been instituted against her. England would have naturally become a partner in the treaty, and the most excellent consequences for the benefit of mankind might have ensued.

It had indeed a shew of ancient spirit and freedom when the legislature decreed, that they could not treat with an enemy who appeared in arms, till he had totally evacuated their country. But this was false heroism; it was tinsel and not gold; and these absurd imitations of Roman sentiments and achievements we can easily foresee must prove the ruin of France. True heroism is the result of wisdom, and consults the real happiness of those for whom it is interested. To have endeavoured to save the lives of men, and to lessen the sum of human calamity, to divert the attention of the nation from war and conquest, to the arts of peace, and the useful occupations of agriculture and commerce, would have conferred substantial glory on the representatives of France.

The conferences, therefore, between the generals, from which so much was expected, ended only in the retreat of the Prussians, who were soon after followed by the armies of Austria and Hesse-Cassel. The first post abandoned by the Prussians was the pass of Grand Pré; this was on the 30th of September. On the 1st of October, Clermont was also evacuated; and the Prussians decamped from their strong and fortified position on the heights of La Lune, where the French found upwards of 300 horses half eaten. The retreat of the enemy was slow, encumbered as they were with sick, and wasted with want and fatigue. Their route lay towards Verdun—It has been insinuated, that more than once general Dumourier might have interrupted their progress, and even possibly might have made prisoners of both the king and the general; and it has, from this circumstance, been surmised, that a secret treaty existed between the generals. It must however be remembered, that the
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French army was still inferior in number to the enemy, and the general was perhaps impressed with the consideration of how much he must risk by a defeat at this important crisis.

It does not appear that the Prussians in their retreat made any considerable halt at Verdun; and the garrison which they had stationed there, surrendered on capitulation to general Dillon, on the 12th of October. The Prussian commander at this place had some very free conversation with general Dillon, in which he intimated the strong desire that his master had for peace and amity with the French nation; and in a previous conversation between the duke of Brunswick, general Galbaud, commander of the French artillery, and some other officers, the same sentiments were strongly expressed by the duke, who virtually disavowed the whole substance of his manifestoes.

Nothing can more clearly evince the weakness and folly of the court of Berlin than this vacillation of sentiment. On his first determination to retreat, the king of Prussia reproached in the severest terms the French princes, and the Austrian general Clairfait—He told them, “they had deceived him grossly, and that he would remember it to them to the end of his existence.” On this variableness and uncertainty of conduct, it is impossible to think with respect. A monarch spontaneously, and without provocation, engaging in a war avowedly on a principle contrary to all that has ever been considered as sacred by the rights of nations—a war on the independence of a neighbouring state; and breathing nothing but denunciations of vengeance and cruelty against that nation: and yet in so short a time avowing sentiments so extremely opposite—Now anxious only for war; next soliciting peace; and afterwards engaging in war again. It is impossible to annex sentiments of respect or approbation to such conduct.

Another serious cause of blame which has been laid to the charge of the king of Prussia and the duke
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of Brunswick, is the cruel distinction which they made in their cartel for the exchange of prisoners between their native soldiers and the emigrants. By the exception of these brave, though perhaps mistaken men, several of them were actually given up to the slaughter; and whatever right the French might have to consider them as rebels, still the king of Prussia had accepted them as *soldiers*, and they were under his protection.

The re-capture of Longwy followed that of Verdun on the 22d of October, on which day it was taken possession of by general Valence, though in fact the capitulation was signed on the 18th. The Prussian army immediately evacuated the territories of France; and the country was solemnly proclaimed to be no longer in danger. General Dumourier had for some time been absent from the army; his active mind was occupied with still bolder projects, in the execution of which we shall have speedily to follow him.

The conduct of the Prussians and Austrians, during their invasion of France was not unexceptionable. The rigid discipline of the cane and the scourge served indeed to restrain within the boundaries of military obedience, the wretched and passive instruments of despotism, the human machines: but the plunder of enemies, even though unarmed and defenceless, is, it seems, no infringement of the articles of war. The contributions levied by the duke of Brunswick, upon the credit of notes payable by the king of France, when he should be re-instated in his functions, are sufficiently notorious, and have been characterized by a distinguished orator of the British senate as a species of *swindling*. The harsh treatment of M. George, who had been a member of the constituent assembly, and afterwards engaged in a respectable civil employment, was a pitiful revenge, and the puerile reproaches made him by the duke of Brunswick were still more contemptible.

But the unfortunate villagers of Voges were treated with a severity inconsistent utterly with what has been termed

termed civilized war. Though situated on a mountain and well calculated to form a post of some strength, still its fortifications were in such a state that it would have been folly in the inhabitants to have attempted to resist an army. Having however been greatly harrassed by detached marauding parties of the enemy, the villagers resolved to defend their property against such parties in future, though not to resist a regular summons. The next detachment therefore which came in this irregular manner, was very bravely repulsed; but immediately returning with a strong reinforcement, the peasants, after a gallant effort were compelled to submit. *As they were not dressed in the uniform of soldiers*, these brave men were judged to be exempt from the laws of war. They were dragged to the head-quarters, tied to the tails of horses; and before they were carried away, were compelled to set fire to their dwellings with their own hands, by which much property and several lives were destroyed. A mother threw herself at the feet of the barbarous conquerors, and entreated permission to carry with her her two infants. Her entreaties were disregarded, and the unoffending babes perished in the flames.

Of all these tribes of plunderers, however, none were equal to the Hessians in dexterity, adroitness, or in the extent of their depredations. These devoted slaves, who are actually sold, like the negroes on the coast of Africa, to the best bidder, by their rapacious chief, seemed to carry with them to the war all the dispositions incident to a state of slavery. Plunder was their sole object, nor could any thing deter them on any occasion from the pursuit of it. Wherever they came, like a swarm of locusts, they left a barren wilderness behind them. Every article that could be removed, and that was of the least value, was carried away. Not only the money and the plate, but even the clothes and furniture of the inhabitants were purloined. They stripped without mercy the miserable emigrants themselves, and plundered

dered the nobility of France, who served in the combined armies, with as little remorse as those whom they denominated rebels. These poor men indeed saw their error too late, and found themselves equally the prey of those who pretended to arm in their defence, and of those from whose atrocities they fled.

The conduct of the French soldiery was in general much more respectable in this instance; they abstained religiously from plunder, and, as they endured the want of every necessary with fortitude, were cautious of injuring the rights of others. Their political fanaticism, however, sometimes betrayed them into shocking excesses, the most flagrant instance of which occurred at Rhetel in the beginning of October. Two battalions of volunteers being stationed at that place, four deserters from the Prussian army came to offer their services, and were received by the officers. In the course of the day, however, some dispute arose between these men and some of the soldiers, when an alarm was instantly spread among the volunteers, that they were not Prussians, but emigrants and spies. With that fatal precipitation which in so many recent instances has characterised the French nation, the rest of the soldiers immediately seized these unhappy men, and in defiance of their officers, in defiance of justice and entreaty, cut them to pieces.

General Dumourier on this occasion gave a salutary example of proper severity. He degraded the two battalions, stripped them of their military accoutrements and uniforms, and obliged them to deliver up the immediate delinquents. The battalions, with a returning sense of honour, acknowledged the justice of the sentence; but entreated that instead of being broken they might be sent upon some service of more than ordinary danger, to expiate their crime; and of their own accord delivered up to the sentence of the law ten of their body, who were at once the causes and the agents in this horrid transaction.

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The sieges of Thionville and Lisle are conspicuous circumstances in the history of this campaign. The former is a small but strong fortress, and was entrusted to the command of general Felix Wimpfen, whose reply to the summons of the Austrian general was, "You may destroy the fortress, and not leave one stone upon another, but you cannot burn the ramparts." It resisted during the whole campaign, and held in check a force which was said to amount to twenty-eight thousand men; and which in several successful sallies the besieged frequently harassed and distressed. The town was relieved by the general retreat of the enemy; and the victorious garrison and commander received all the honours and applause which a grateful country could confer.

The city of Lisle was threatened early in September, and on the 23d the electors of the department of the north, who were assembled there, transmitted a public act to the legislative body, in which they swear, that "they would be buried under the ruins of the town, rather than abandon their post." As the possession of this city was considered by the Austrians as of the utmost importance to their views, no expence was spared to effect its reduction. On the 29th the duke of Saxe Teschen, who was appointed by the court of Vienna on this important command, summoned the town to surrender, on pain of being delivered up to the horrors of war. The answer of the council general of the commons was at once modest and spirited: "We have just renewed our oath to be faithful to the nation, and to maintain liberty and equality, or to die at our post. We will not perjure ourselves." On that day the Austrian batteries began to play upon the town, and were directed for upwards of a week to that quarter which was inhabited by the lower class of citizens. The principal motive for this proceeding was evidently, that by distressing them in particular, they might be rendered mutinous and seditious, and induced to rise upon the magistrates and commanders, in order to force them into a capitulation

tion. In this the enemy was disappointed; for on the contrary, inspired with a degree of heroism proportioned to their danger, these very citizens caused the keys of the city to be carried into the great square and hung up on the tree of liberty; and at the same time passed a resolution, that whoever presumed to remove them for the purpose of delivering up the city, should be punished with instant death. This spirited resolution the citizens of Lisle supported with (what should always accompany true patriotism) order and discipline. They formed themselves into several companies, to each of which were assigned its proper functions and station. Every precaution was taken to prevent mischievous effects from the bombardment, and a number of women and children were constantly employed in knocking out the *fuses* to prevent the explosion. The city, however, was soon reduced to a heap of ruins; and the inhabitants were compelled to take up their residence in temporary huts, or in vaults and cellars, which were formed into a kind of casemates, by the immensity of rubbish heaped upon them. The churches and public buildings were almost all destroyed; but the valour, patriotism, and virtue of the inhabitants increased with their distress; and as soon as a family was driven from its habitation by the devastations of the artillery, it was hospitably incorporated with another. To the 6th of October at noon the firing was incessant; shells, red-hot balls, and every instrument of destruction, were showered upon the devoted city. The Princess Christina, sister to the duke of Saxe Teschen, with her whole court, attended to view the brilliant spectacle, and in the hope of enjoying the triumph of conquest. It is even said, that the princess herself applied the match to some of the engines of destruction. As the garrison was too small to waste its force in sallies, nothing of that kind was attempted; but its courage and indefatigable assiduity are beyond encomiums: and marshal Rualt, the commander, deserves to be recorded with every mark of

respect. It is computed that the Austrian batteries fired upwards of thirty thousand red-hot balls and six thousand bombs upon the city, exclusive of the fire of one of the finest battering trains that ever appeared in the field. Notwithstanding this, the loss of lives was not great; so formidable in appearance, and so little destructive in reality, is artillery. The whole loss of both garrison and people did not exceed five hundred, three-fourths of whom were women and children. The Austrians had flattered themselves with being able to maintain this post, should they have succeeded in their plan for its reduction, notwithstanding the retreat of the combined armies: but finding themselves utterly deceived in their expectations, on the 7th and 8th of October they began to break up their camp, and the siege was raised.

The arms of France, at this period, were victorious in every quarter. The king of Sardinia had long been regarded as hostile to the revolution. He had been among the first to encourage and assist the emigrants; he had acceded to the treaty of Pilnitz; he had arrested the French Ambassador on the frontiers, on pretences allowed afterwards to be groundless; he had increased his armaments in Savoy, and filled the fortress of Montmelian with troops; and after the affair of the 10th of August he had held a congress of the foreign ministers, to deliberate on a plan for invading France. That plan was, however, deferred. It was upon these reasons that the national assembly, on the 16th of September, declared war against the king of Sardinia; and about the 20th general Montesquieu entered the territories of Savoy. He describes his march as "a triumph"—He was every where received with joy, and troops flocked to his standard from every part. A deputation from Chambery waited on him almost as soon as he passed the boundary, and on the 21st he proceeded with a detachment to take possession of that city. The municipality waited for him at the gate in their dress of ceremony to deliver up the keys; and testified, in warm terms, the esteem in
which

which the people of Savoy held the French nation. At the Hotel de Ville he received the homage of all the citizens, and invited them all to an entertainment he had prepared for the purpose. As a mark of confidence, he left the Hotel de Ville in the custody of their own town guards, a circumstance which was received with every expression of satisfaction by the citizens: after this the whole country of Savoy submitted without resistance.

With another body of troops general Anselm (who had been bred an ecclesiastic, but quitted the profession for that of arms) crossed the Var, and on the 29th of September, being supported by admiral Truguet with nine sail of the line, took possession of Nice, which was evacuated by the Piedmontese garrison on the appearance of the French. With the city of Nice, the fortrefs of Montalban, and Villa Franca, and indeed the whole country of Nice, submitted to the conquerors. General Anselm on his first arrival was extremely popular among the Piedmontese, and they appeared disposed in every respect cordially to unite with the French republic.

Whether from the imprudence of the general, however, or from the want of discipline in the soldiers, it is not easy to determine, but the grossest excesses were soon after committed; the French name was disgraced, and the nation rendered odious in that quarter. The consequence was, that general Anselm was dismissed from his command, and afterwards committed to prison.

An instance of severity in admiral Truguet, which was indeed justified in some degree by the laws of war, and by a gross provocation, contributed also to injure the popularity of the French in the territory of Sardinia. On the 23d of October the admiral arrived in the harbour of Onaglia, and having prepared a proclamation inviting the inhabitants to a union with the French nation, he sent it by captain Duchayla under a flag of truce, to be presented to the magistrates. The admiral followed the boat, which proceeded with the

the flag of truce alone, and ordered the other vessels to keep studiously at a distance from the shore. The people, at first, appeared to receive the boat with demonstrations of friendship; but at the moment captain Duchayla was preparing to address them at a small distance, they assailed it with a shower of musketry, by which the aid-de-camp of marshal Lahouliere, who accompanied captain Duchayla, two midshipmen, and four seamen were killed, and the captain himself and adjutant-general Lacouverfiene, wounded.

The magistrates affected to excuse themselves; but their apology not proving satisfactory to the admiral, he prepared to take an ample and indeed a cruel revenge. As soon as the boat was out of danger, he ordered his squadron to drop their anchors, and cannonade the town—At the same time it was attacked by land by marshal Lahouliere, and, being taken by storm was surrendered to a general plunder, and afterwards set on fire in different places.

To conclude our narrative of the operations of the southern armies, it will be necessary to revert to general Montesquieu, and to relate his transactions with the republic of Geneva. The conquest of Savoy by the French spread an instant alarm over the neighbouring states, and the aristocratic faction in Geneva in particular felt no inconsiderable portion of uneasiness. From the other Swiss cantons this party demanded a garrison of one thousand six hundred men, while a French party in the city were clamorous for placing the republic under the protection of France. There appears some reason to suspect that the executive council of France were not indisposed to take possession of this flourishing republic; and with, or without reason (for the affair has never been satisfactorily explained,) pretended to be offended by the admission of the Swiss garrison. Montesquieu, by their orders, presented himself before the city. The aristocracy became immediately alarmed; they extended the olive branch to the French general, and the dispute was terminated with apparent equity, on the

the one side, by the dismissal of the Swiss garrison, and on the other, by the withdrawing of the French troops from the vicinity of the republic.

The democratic party in Paris could not easily forgive this concession in their general. Montelquieu was suspected, and even accused of having received a bribe; and soon after, various charges of speculation being exhibited against him, to save himself from destruction, or at least from the humiliation and risk of a trial, he left the army and escaped into Switzerland.

The conquests of Custine in the circle of the Upper Rhine were not less brilliant than those of his colleagues. It was with considerable difficulty, from the badness of the roads, and the quantity of rain, that he could collect his army at Landau by the 29th of September. On that morning, however, he proceeded towards Spires, which he reached on the following day. He found the Austrians drawn up in order of battle before Spires, having on their right an eminence, which is above the gate that looks towards Worms, a ravine before them, and their left extended among some gardens surrounded with thick hedges. In this position the general did not hesitate to attack them, and soon forced them to retreat within the walls of the city. Having tried for a short time to force the gates with cannon, and perceiving the ardour of his troops, general Custine proposed to cut them down with axes, and the proposal was eagerly received by the soldiers. The gates were speedily demolished, and the French rushed into the town with their usual impetuosity; but the enemy, who had taken possession of all the adjacent houses, commenced a heavy and destructive fire upon them, almost as soon as they entered. Fortunately general Custine had taken the precaution to place at the head of the columns some howitzers and eight pounders, which enabled him to rally his troops, who were in some degree disordered at first by the violence of the discharge of musketry from the houses. The Austrians had,
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however, apparently no intention of maintaining their ground; they immediately retreated, and left Custine master of the city. The French on this occasion took upwards of three thousand prisoners, besides a great quantity of cannon, howitzers, &c.

The capture of Worms by M. Neuviner, with a detachment from Custine's army, immediately succeeded that of Spire, and the movements of the French were so rapid, that the enemy had not found it possible to remove their stores; an immense quantity therefore of every kind was found in this place. M. Custine laid the bishop, the chapter, and the magistrates, under a heavy contribution: the loss of the Austrians in men was also considerable.

On the 19th of October, in the midst of heavy rain, general Custine by forced marches arrived before Mentz. The state of the fortresses was previously well known to him; and the garrison amounted to about six thousand men. On the 20th he summoned the governor to surrender, who answered that he meant to defend the town, but requested till the 21st to consider. In the mean time the garrison never ceased their fire; but to end it, M. Custine again wrote to the governor; a capitulation was agreed upon, the chief article of which was, that the garrison should not serve in the war for the space of one year; and on the 21st the garrison marched out with the honours of war.

Frankfort fell into the hands of this victorious commander on the 23d of October. In consequence of the protection and assistance which this city had granted to the emigrants, M. Custine thought proper to impose on the magistrates a fine of one million five hundred thousand florins; but on their representation he was afterwards induced to remit the five hundred thousand.

The successive capture of three places, of such considerable strength and importance, in so short a space of time, is almost without example in the history of military affairs. The enlarged and ardent ambition of

of the general would have penetrated to Coblenz, that noted receptacle of the enemies of French liberty: in this daring project, he complained that he had been disappointed by the tardiness and inactivity of Kellermann. He wished that general to pass the Sarre and the Moselle, directly to Treves and Coblenz, and to leave a small party to watch the motions of the Prussians in their retreat. Kellermann however vindicated himself by stating, that after Dumourier left him, he had no more than fifteen thousand men under his command, and Valence not more than fourteen thousand: the Prussians amounted to upwards of fifty-five thousand men, and consequently he was neither able to penetrate such a body, nor did he think it safe to leave the French territory open to their incursions.

The general disappointed in this favourite measure, still proceeded to extend his conquests in the dominions of the prince of Hesse. By the union of the Prussians with the Hessians and Austrians, however, a check was put upon his career before the termination of the campaign. On the second of December the Prussians appeared before Frankfort, the gates of which were treacherously opened by some of the populace. Most of the French garrison, to the amount of one thousand three hundred, were massacred, and several, who had been taken prisoners, were sent the next day to Mentz with their hands cut off: this diabolical action was committed by Hessians in the disguise of peasants. After the surrender of the city, a smart action took place between the two armies, in which that of the Prussians amounted to fifty thousand, and Custine's to only twenty-three thousand. The French however maintained their ground from one o'clock till three, when they retired to a wood, whence they were able to annoy their adversaries, and to keep them in check.

Perhaps the whole history of mankind scarcely includes a picture so striking, of the surprising effects resulting from the enthusiasm of liberty, as the state of

of France at this moment presented. Actuated by this spirit, the hasty levies of undisciplined peasants were at once converted into regular armies. Battalions, composed chiefly of beardless boys, chased from the field the disciplined legions of Germany and Prussia; and though checked by no military system, no code of war, no regularly appointed authority, this principle alone was sufficient to retain them in order and subordination. Even the female sex partook in the general patriotism, and many of them proved equal in courage and conduct to the bravest of ours. Not only the sister of general Anselm, and the two miss Fernigs, who served as aids de camp to general Dumourier, but many others of the French women, distinguished themselves by the most heroic exertions; and even the artillery was frequently served by female patriots, who, regardless of natural or habitual weakness and imbecility, by their spirit and activity compensated for the want of that force and vigour which has hitherto been exclusively attributed to men.

C H A P. IX.

proceedings of the French legislature—Decree concerning divorces censured—Meeting of the national convention—Its character—Abolition of royalty—Decrees relative to the establishment of a republic on the basis of equality—Proposal of Manuel for abolishing religious establishments rejected with contempt—Abolition of the titles of Monsieur and Madame—Dissolution of the tribunals—Incorporation of Savoy with the republic of France—Ill treatment of the generals—Convention divided into factions—Accusation of Robespierre and Marat—Decree against the emigrants—Decree of fraternity—Victorious career of Dumourier—Action

—Action at Bossu—Battle of Gemappe—Capture of Mons—Action at Anderlecht—Triumphant entry of Dumourier into Brussels—Reduction of Tournay, Malinot, Ghent, Antwerp, Louvain, and Namur—Invasion of Liege—Action near Tirlemont—Conquest of Liege—Subsequent distresses of the French army.

WHILE the French, as patriots and soldiers, must attract the admiration of the historian, their inability and weakness as legislators cannot fail equally to excite his contempt and surprise. One of the last acts of the legislative assembly calls for the reprobation of every man who has a regard to good morals or social order. It was to legalize adultery, to authorize a community of women, by a law which enabled the ordinary tribunals to pronounce a sentence of divorce between any married couple, not only on mutual agreement, but on the application of either party, alledging simply as a cause, incompatibility of humour or character. The female children were directed by this decree, to be entirely confided to the care of the mother, as well as the males to the age of seven years, when the latter were again to be re-committed to the superintendence of the father: provided only, that by mutual agreement any other arrangement might take place with respect to the disposal of the children; or arbitrators might be chosen from the nearest of kin to determine on the subject. The parents were to contribute equally, however, to the maintenance of the children, in proportion to their property, whether under the care of the father or mother. Family arbitrators were to be chosen to direct with respect to the partition of the property, or the alimentary pension to be allowed to the party divorced. Neither of the parties could contract a new marriage for the space of one year.

The confusion, the litigation, the domestic contests and the fatal jealousies that such an arrangement must produce in families, might have been sufficient to deter men of any information or judgment from so

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pernicious a measure; but these are small evils in comparison with the perversion of the moral principle, which must necessarily ensue, the effeminate, luxurious and profligate habits, that must follow this unrestrained gratification of the animal propensities. Men conversant in history might have known that the law of polygamy has enervated the whole Mussulman empire; has rendered its subjects incapable of virtue or liberty; and that this very law of divorces was the immediate cause of the overthrow of the republic of Rome.

We have already intimated how inferior this assembly was in character and ability to that which it succeeded. Its characteristic, however, was rather weakness than dishonesty. The majority was undoubtedly composed of men who meant well to their country; but unfortunately, by the intrigues of the Jacobins, the influence of the Paris mob, and the activity of the republicans themselves, a small faction of anarchists and levellers became in the end the ruling party. Had the assembly in time taken the decisive step to decree the removal of the king and the legislature from the factious metropolis, they might still have continued their labours with profit to their country, and with honour to themselves. After the fatal 10th of August, the legislature acted entirely under the controul of the populace. The galleries, and not the benches, decided every question. Vau-blanc, Dumas, and all those who united integrity with respectability of character and coolness of understanding, were silenced or expelled, and the suspension of the king was followed by a suspension of the whole collective wisdom of the nation.

On the 20th of September, the Convention met; but if there was reason to complain that the legislative assembly was inferior in respectability to their predecessors, it was with grief and apprehension that men of sense and reflection observed the national convention composed of the refuse of both. Petion, Robespierre, and a few of the most violent and least respectable

respectable of the constituent assembly, were re-chosen on this occasion; and Danton, Chabot, Merlin, and others equally without property, rank, or character, were selected from the present legislature. Foreigners were invited to become representatives of France, and unfortunately they were invited, not for the extent of their abilities, nor for the reputation of integrity, but because they had been foremost in the career of republicanism, and because they had disclaimed every title to moderation or judgment in their opinions on the science of government. The celebrated Thomas Paine was invited from England to represent one department; and a Prussian of the name of Cloots, a wretched maniac, whom the humanity of this country would have charitably provided with medical aid in the cells of Bethlehem, was chosen to represent another. The department of Paris was, however, first in infamy upon this, as upon every other occasion. There the prostituted duke of Orleans (now distinguished by the almost ludicrous title of Egalité) was united with the infamous incendiary and assassin Marat, with the painter David, and with Legendre, who is literally by profession a butcher. Actors, news-writers, and men from almost the lowest ranks and stations, were mingled with the degraded remnants of the *ci-devant* noblesse, and with such of the clergy as had sufficient laxity of principle to disavow their engagements with the head of their church. Justice obliges us to confess, that this heterogeneous mass included some men respectable for their talents, and some unimpeached as to their integrity. The brilliancy of Condorcet as a writer, does not however compensate for his evident inexperience and imbecility as a statesman; nor do the metaphysical talents of the abbé Sieyès appear very happily adapted to the practical purposes of political life.

From a body of men thus collected together in a moment of political ferment, but little of wisdom, little of unanimity, little of moderation could be expected. Their first movements were violent, hasty, and

and without deliberation; they soon divided into factions, and disgraced the very name of a legislature, by altercation, abuse, and even manual contest. At their first meeting, M. Petion was elected president; M. Condorcet, vice-president; and M. M. Camus, Vergniaud, Brissot, Lafource, and Rabaud, secretaries.

In order to preserve government and peace, the convention proceeded to declare, "that those laws which were not abrogated, and those powers which have not been suspended, should be provisionally preserved and supported; and that the taxes should be collected as formerly."

This business was scarcely terminated, when M. Collot d'Herbois, who had been formerly an actor, appeared upon the tribune, and reminded the assembly, "that there was one declaration which could not for a moment be deferred—viz. the eternal abolition of royalty in France." It was in vain that M. Bazire and other members intreated the convention to proceed with more dignity and deliberation in so important a question; it was in vain they urged the necessity of giving it at least the sanction of a discussion. The abolition of royalty was voted by acclamation, and the house adjourned.

On the following day a series of decrees were passed, confirming this resolution. All public acts were to be dated "The first year of the French republic." The state seal was to bear the inscription of the French republic. All citizens were declared eligible to all vacant places; and even the judges might be elected from among the ordinary citizens. The distinction established by the constituent assembly between active and passive citizens, was abolished.

In the course of the succeeding sittings, the convention resolved, "that the French republic no longer acknowledges princes; that therefore the rentes appanageres should be also suppressed." The word "republic" was also ordered to be substituted in the

oaths

oaths and other public acts, in the place of the word "nation."

On the 27th of September, the pensions granted by the constituent assembly to the ejected clergy were ordered to cease, with an exception in favour of those above fifty years of age, whose pensions however were not to exceed one thousand livres (50*l*.) per annum. On this occasion, M. Manuel rose to propose, that, as royalty was abolished, the order of priests, and all religious establishments, should be abolished along with it. We must report it to the honour of the convention, that his proposal was heard with murmurs, and rejected with disdain.

The rage of republicanism was carried at this period to an unexampled excess of folly. With a puerility disgraceful to a nation, the innocent and undiscriminating titles of Monsieur and Madame were relinquished, and the awkward phraseology of "Citizen" substituted in their stead. The crosses of St. Louis, which had been given to the knights of that order, were ordered to be surrendered to the state, not as patriotic donations, but as a restitution. The sudden dissolution of the judicial boards was a more serious measure, and appeared so dangerous and rash to all persons in the least accustomed to order and government, that even Thomas Paine, who by his adversaries has been termed an anarchist in principle, deprecated the hasty adoption of the decree, and intreated that the tribunals might be gradually changed, instead of releasing the nation at once, though for a short period, from the salutary restraints of law.

The conquest of Savoy afforded a temptation which the convention was not possessed of wisdom or fortitude to resist. Contrary to all their former professions of a disinterested zeal for the liberties of mankind, this injudicious and feeble assembly, converted it into an eighty-fourth department, and thus, by one false step lost the confidence of Europe, and afforded a precedent for future decrees, which nearly proved fatal to the liberty and independence of France.

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The decree which renounced conquest, and which limited the operations of war to the simple principle of self-defence, was worthy of an enlightened age and an enlightened people, and will be ever recorded to the honor of that body which enacted so just and politic a law. To depart from that principle degraded a free people to the level of despotic states, and was at once the fullest proof of the dishonesty or the weakness of the national convention.

The incapacity of the convention, even to conduct the common business of a nation, was also soon evinced by their ungrateful and unworthy treatment of their generals and commanders. La Fayette, it might be fairly said, had forfeited their confidence by adopting and avowing principles diametrically opposite to those on which they thought proper to found the new edifice of government. But against Luckner there was no specific charge. Yet Luckner was denounced as an enemy to the country; the most atrocious falsehoods were asserted concerning him; and finally, he was dismissed the service. General Dillon had agreed to an armistice with the prince of Hesse, at a crisis when these incompetent legislators (the majority of whom were totally ignorant of the art of war, and could not be acquainted with the particular situation of M. Dillon) chose to believe that he might have made prisoners of the Hessians: for this he was denounced and accused, though he afterwards had sufficient address to procure a reversal of the decree. General Montesquieu was one day dismissed from his command, and the next he was reinstated in it. In a word, such was their absurd conduct, that they scarcely left the republic a general capable of commanding its armies; or an officer whom they could trust. Great care ought to be observed in investing an individual with the chief command; but when it is entrusted to him, a considerable share of confidence should always accompany it. No man will risk his life, his happiness, his reputation, without the prospect of a brilliant reward: and if, after
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the most meritorious services, a military character is to experience nothing but ingratitude, and detraction, his views will soon be turned in an opposite direction to that of patriotism; they will soon be directed to self preservation and private emolument, and he will think rather of securing a comfortable retreat than of exposing himself in a contest where he has every thing to lose and nothing to gain.

The convention was scarcely assembled, when its peace was disturbed by the appearance of factions, the most disastrous to the country. On the 26th of September, Lasource denounced Robespierre and Marat as aspiring to the dictatorship, and they were at the same time charged, and upon apparently not the worst grounds, with being indirectly at least concerned in the horrid massacres on the 2d and 3d of September. It should be mentioned, to the honour of the convention, that a committee was appointed to enquire into the facts relative to the massacres; but unfortunately the predominant influence of the Parisian mob deterred them from prosecuting the enquiry as strict justice demanded.

The minister of justice, Danton, gave in his resignation on being elected a member of the convention. Roland requested permission to do the same, but retained his office for some time longer, at the request of the convention. The statement of the finances by the minister, Claviere, was clear and able. He recommended œconomy in the various departments, and with an honourable attention to the morals of the people, reprobated lotteries.

The war minister, Servan, soon after resigned, and was succeeded by Pache.

It would be an abuse of time, to detail debates which were productive of no permanent effect, or to register decrees too insignificant to be remembered. Those which were enacted against the emigrants are of more importance. On the 9th of October it was decreed, "That all emigrants taken in arms should be put to death twenty-four hours after they had been declared

declared guilty by a military committee; and that all foreigners, who, since the 14th of July, 1789, had quitted the service of France, and entered into that of the enemy, should be considered as armed emigrants." The severity of this decree, was however exceeded by that of the 12th of November, which extended the penalties of death to what they termed *reputed* emigrants, or those not immediately engaged in hostilities.

By a further decree of the 27th, those unfortunate emigrants, who had returned, in the hope of finding pardon and relief in the bosom of their country, were ordered to depart in twenty-four hours, and the penalty of death was awarded against such as should fail instantly to obey. Whatever apologies may be urged from the peculiar and critical situation of France, in favour of these decrees, they will scarcely be such as completely to satisfy the friends of freedom. The confessors of liberty, like the martyrs of christianity, should be rather prepared to suffer than to commit injustice. They should never permit a *principle* to be violated; and as their only object, their only plea is the *happiness* of mankind, that happiness should not be invaded in a single instance, if possible, by themselves. The enemies of Gallic liberty have forced a construction upon this conduct which we should be sorry to admit, and have not scrupled to assert, that the property of the emigrants was the bait that seduced the convention to adopt too extensive a definition of the offence. No—Let us rather hope, that the decree was the result of hasty resentment and temporary alarm. That a more enlightened legislature will, at a time when this alarm no longer exists, reduce its rigour, and receive with tenderness those inoffensive exiles, whose apprehensions, or whose principles, removed them from their country, but whose offences are merely of a negative nature.

Another decree it is necessary to notice, as it has excited more attention than almost any other proceedings of the national convention, and has perhaps
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made them more enemies in foreign countries, than any measure which they could have adopted. We allude to the decree of *fraternity* of the 19th of November. The circumstance, in which this imprudent resolution originated, was an insurrection in the bailiwick of Darmstadt, in the territories of the duke of Deux Ponts, at that period at war with the French nation. The people, headed by the magistrates and principal inhabitants of the district, had declared their wishes to be united to France, and solicited her protection against their former master. To have acceded to the request, would have been acting agreeably to the law and practice of nations; but with their usual enthusiasm, and without deliberation, the convention, or rather the galleries, passed by acclamation a decree in the following terms:

“ The national convention declare, in the name of the French nation, that they will grant fraternity and assistance to all those people who wish to procure liberty; and they charge the executive power to send orders to the generals, to give assistance to such people as have suffered, or are now suffering in the cause of liberty.”

A hasty error is not easily explained, and it was scarcely possible to maintain a shadow of consistency, and yet to explain this decree in such a manner as not to give offence to the neutral powers. The attempts to excuse it, have been, if possible, more awkward and absurd than the decree itself; they serve only to shew that the convention were, in reality, ashamed of their own act, but had not the manliness to extricate themselves from the difficulty by a direct repeal.

That almost every government (and despotic governments more particularly) *do actually* take advantage of the disquietudes and insurrections of the people in other states, in plain terms do *fraternize* them, is a truth that cannot be denied; but it is only the circumstances of the case that can determine a free state in the adoption of such a measure. A general

law upon the subject was, therefore the grossest of absurdities, and was liable to be, as it in fact has been, misconstrued. It was no less than a direlition of their own principles, a folly of the most enormous kind; while the French people was suffering from the unjust principle of foreign nations presuming to regulate its *domestic* concerns, to countenance the interference by its own example!

When we censure these proceedings—are we the enemies of Liberty or of France?—No! the cause of Liberty is sacred in our estimation; but we can make a distinction between the *cause* itself, and the means which have been erroneously employed to promote it: the former is unimpeachable; the latter have been frequently deserving of censure. We wish sincerely, as Britons and as men, to see a *free* government established in France. We execrate the league which has been formed against her independence; in an interested view we regard that independence as essential to the balance of Europe, and as the best barrier to this island against the ambition of continental powers. But we see with regret, in this instance, that it is not the heroism of a people that will save the country; but that wisdom in council is even more wanted than valour in the field.

Notwithstanding the dissolution of all regular government since the 10th of August, the country of France was in general more tranquil than could be expected in a season of anarchy. Happily the greatest atrocities were confined to the vicinity of the metropolis; we cannot, however, omit mentioning, that in some instances the soldiery conducted themselves in a disorderly and ferocious manner. On the 9th of October the first division of the national Gendarmerie arrived at Cambray; and they scarcely arrived before they proceeded to the prisons, and set at liberty all who were confined, except Canone d'Hercique, who was charged with a robbery; the second division however, who arrived on the 10th, beheaded him. The officers of the second battalion of volunteers,
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who were in garrison in the citadel, caused the gates to be shut, to prevent a communication with the soldiers of the Gendarmerie; but the second lieutenant, Besambre, who was one of the most active in endeavouring to confine them to their duty, fell a victim to their fury. He was accused by his own soldiers to the Gendarmerie, who dragged him along the esplanade, and after stabbing him in several places, cut off his head, as well as that of a Capt. Le Gros, of the sixth squadron of cavalry. A general insurrection immediately succeeded, nor was it quelled without the most strenuous exertions, in the course of which the patriotic mayor incurred the most imminent danger.

We turn with some satisfaction from the debates of the convention, and the ferocity of the populace, to the brilliant triumphs of Dumourier, and the humiliation of those despotic powers who were certainly in no small degree authors of the calamities of France. Our pleasure would have been more complete, had these efforts succeeded in securing the real liberties of the nation, and the blessings of a just and equal government. But what the ability of the general and the courage of the people achieved, the folly and wickedness of the convention unfortunately rendered nugatory and abortive.

On the 12th of October, general Dumourier repaired to Paris to concert measures for the winter campaign, and after a stay of only four days, he returned to the army to make the necessary arrangements, and to prepare for entering the Austrian Netherlands. From the period when the siege of Lisle was raised, the Austrians had continued to retire before the victorious French. Within their own territories, however, they determined to make a serious stand, and there they began to collect their scattered forces. The first resistance which Dumourier experienced, was at the village of Bossu, which is situated about a league from the since celebrated post of Gemappe. At this place the general represents the
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enemy to have taken an excellent position; but they were unable to withstand the excellence of the French artillery, and the ardour of the dragoons. The Austrians were in number from eight to ten thousand; and they had one hundred and fifty killed, and two hundred taken prisoners: the French lost only twenty. This action took place on the 4th of November, and the Austrians were so little in expectation of an attack, at that time, that the officers had just prepared a very splendid banquet, which the French arrived just time to take possession of.

From Bossu Dumourier proceeded, early the next morning, towards Mons, and soon came in sight of the enemy, strongly posted on the heights of Gemappe. Their right was covered by the village of that name, and by the river; and their left by thick woods. Three rows of fortifications were observed one above another like the seats of an amphitheatre, upon which were mounted nearly one hundred pieces of cannon. Had the general therefore trusted to his artillery in this engagement, the advantage of the ground was so infinitely in favour of the enemy, that he must probably have been defeated. Here the enthusiasm of the French character proved an excellent auxiliary to the skill of the general. The army, which was principally composed of young men, had been long ambitious of a close engagement. The general secretly favoured the design, but he restrained their ardour only in the hope of increasing it.

The French passed the night within sight of their adversaries. At seven in the morning of the 6th, a very heavy cannonade commenced on both sides, and continued till ten without much effect on the part of the French, which confirmed the general in his sentiments with respect to the mode of attack which it would be proper to pursue. As he went along the bottom of the line, the troops testified the utmost impatience to charge the enemy with their bayonets. The general however contented himself with ordering colonel Thuvenot, adjutant general, to attack the village

village of Carignon (which was necessary to enable him to assail Gemappe on that side), and at the same time approaching the batteries, to produce greater effect.

At noon the French general determined on a close attack. The number of the French who formed for this purpose amounted to about thirty thousand, and the Austrians are computed at the lowest to have been upward of twenty-four thousand, three thousand of which were cavalry. The right wing of the French, consisting of the van guard, was commanded by generals Bournonville and Dampierre; and the centre by generals Egalité, Stetenboffe, Despolets, and Drouet. The infantry formed almost instantaneously, and the general presenting himself in the front of the line, the music, by a signal previously appointed, began to play the celebrated Marseillois song. The soldiers, thus encouraged, rushed impetuously on with shouts of "Vive la nation!" and joining in the chorus of their favourite tune. The first line of redoubts was instantly carried. The cavalry of the enemy however advancing at this crisis, with a view of flanking the French, the general dispatched young Egalité to repel this attack, and supported him most opportunely by a detachment of chasseurs and hussars. At the same moment some disorder appearing in Bournonville's cavalry, general Dumourier rallied them himself, and in the mean time the left wing, which consisted chiefly of the Belgian volunteers, had obtained possession of Gemappe, and the centre carried the second line of redoubts.

After a short resistance on the heights, the enemy, at about two o'clock, retreated with the utmost precipitation and disorder to Mons. The French in this engagement experienced the most obstinate resistance from the Hungarians, through whose ranks they could only force their way by cutting down their opponents. The loss of both parties in this action has been differently estimated. It must have been great, for there has seldom been a field more obstinately contested;

contested; that of the Austrians must have exceeded the loss of the French, since an enemy who flies in the early part of the day always suffers considerably; but Dumourier probably over-rated their loss in killed and wounded when he stated it at four thousand, as he estimates his own at only nine hundred: and the loss must have been more equal.

The business of this day served to inspire the Austrians with the same respectable opinion of French valour, which was entertained previously and acknowledged by the duke of Brunswick. Some signal acts of courage were performed. The young general Egalité acquired much reputation; and such was the enthusiasm of all ranks, that Baptiste, Dumourier's valet-de-chambre, rallied and brought up to the charge a regiment of dragoons and two battalions of national guards, who had been repulsed.

The victory of Gemappe was decisive as to the fate of the Netherlands. The general instantly summoned the city of Mons, which on the succeeding morning surrendered, and was taken possession of by general Bournonville. From Mons Dumourier proceeded to Brussels, which he entered on the 14th of November. On the heights of Anderlecht, adjoining to the city, the rear of the enemy, amounting to about ten thousand men, commanded by the prince de Wirtemberg, affected to make a stand, but it was probably only intended to favour the retreat of the governors and civil authorities from Brussels. After a contest of six hours, in the course of which, the French general asserts, an immense number of the enemy were killed, the Austrians followed their main army, and the general entered Brussels in triumph. The moderation and wisdom of Dumourier was equal in every respect to his military excellence. He informed the citizens, that it was his intention carefully to abstain from interfering in the internal government of the country. A provisional legislative assembly was chosen, among whom were the duc d'Ursel, baron Walkiers, and other distinguished patriots.—It would have been
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happy for France, as well as the Netherlands, if the same system of moderation had continued to prevail.

It is a singular fact that general Dumourier had promised the French ministry that he would keep his Christmas at Brussels. This assertion, which was really founded on an actual knowledge of the state of the enemy, but was at the moment regarded as the extravagant boast of a vain-glorious man, was more than realized, for he anticipated the performance of his engagement by five weeks.

While these affairs were transacting, Tournay, Malines, Ghent, and Antwerp, opened their gates to general Labourdonnaye. Louvain and Namur, after a faint resistance by the Austrian general, Beaulieu, were taken by general Valence; Ostend was entered by the French fleet on the 15th of November; the citadels of Antwerp and Namur resisted for a short time, but the former capitulated on the 28th of November to general Miranda, and the latter on the second of December to general Valence: in a word, the whole of the Austrian Netherlands, Luxemburg only excepted, were subjected to the victorious arms of France before the conclusion of the year.

On the 18th of November, general Dumourier received a flag of truce from the prince de Saxe Tefchen, conveying a proposal on the part of general Clairfait for a suspension of arms during the remainder of the winter season. To have acceded to this proposal, and to have disbanded a part of the army, and put the rest into winter quarters, would have been wise conduct in the French, and was that which there is reason to think the inclinations of the general would have led him to pursue. He however returned a verbal answer, "that he could only send general Clairfait's letter to the executive council of the republic, and in the mean time should continue the operations of the campaign."

As it is probable that the determination of the executive council was in favour of a winter campaign, the active genius of Dumourier lost no time in following

up his successes, and pursued the flying enemy into the territory of Liege. On the 21st of November he proceeded with an advanced guard of five thousand men to Tirlemont, where the whole of the enemy's army was encamped behind the city, with an advanced guard of three or four thousand men, on the heights of Cumplich. He attacked with his irresistible artillery this advanced guard, which was reinforced by five thousand men, but undertook nothing. At break of day on the 22d, the whole of the Austrians decamped from Tirlemont, after having lost in this action not less than four hundred of their best troops. General Dumourier halted only one day at Tirlemont, and on the 27th overtook again, almost at the gates of Liege, the rear guard of the Imperialists, amounting to twelve thousand men, and commanded by general Staray. The French, drove them successively from six villages, and at last from an entrenchment. The conflict lasted ten hours, in which the Austrians lost their general Staray, an immense train of artillery, and five or six hundred men killed and wounded, besides innumerable prisoners and deserters. On the following day the French general entered Liege.

Such was the triumphant career of this extraordinary man—a career which, as is asserted by the general, was only arrested by the treachery of the Jacobin party in Paris. His first victories, he observes, were scarcely announced, before he was publicly slandered and abused in the convention, by the unprincipled faction of Marat and Robespierre. Under the influence of this party, he supposes the war minister Pache to have acted; and every criminal means, he asserts, was put in practice to distress and harass the gallant soldiers of Liberty. While immense sums were voted by the convention, the army was destitute of every necessary of life. Unprovided of mattresses or coverlets, or even of straw to repose on, these brave men, in a rainy and inclement winter, were compelled to sleep upon the wet ground; and some of them,

to avoid the evils which must be consequent from such a situation, actually lashed themselves to the trunks of trees, and slept in a standing position. The soldiers were almost literally naked, without coats, without shoes; and their arms were destroyed for want of cloaks to cover them from the wet. The consequence was, that numbers of them perished, and still greater numbers deserted and returned home. The general's own words are strong—"To retard and crush my successes," says he, "the minister Pache, supported by the criminal faction to whom all our evils are to be ascribed, suffered the victorious army to want every thing, and succeeded in disbanding it by famine and nakedness. The consequence was, that more than fifteen thousand men were in the hospitals, more than twenty-five thousand deserted through misery and disgust, and upwards of ten thousand horses died of hunger."

If this statement be just, it will be easy to account for the subsequent misfortunes and overthrow of the French army in Flanders. The other party, however, have not failed to recriminate on the general, and have asserted that he was bribed to betray the cause of the republic—That he entered into secret and criminal treaties with the king of Prussia, in an early stage of the contest, and solely with a view to his own advantage. He made a wanton sacrifice, it is said, of his own soldiers at Gemappe, by his injudicious disposition of the army on the attack, and afterwards took every means to enrich himself, and injure the public cause. Of these mutual accusations it is impossible to form at present a correct judgment; we can only state from the testimony of eye witnesses, that the army was most shamefully neglected during the winter campaign; and was certainly, as Dumourier asserts, in want of every necessary.

C H A P. X.

Proceedings of the convention preliminary to the trial of the king—State of parties—Trial and condemnation of Louis XVI.—His execution—Resignation of members and ministers—War with England and Holland—New constitution—War with Spain—Surrender of Breda and Gertruydenburgh—Reverse of fortune to the French—Defeat of Miranda—of Valence—Miscarriage at Cagliari—Defeat of Dumourier—His defection—Congress at Antwerp—Insurrection in La Vendée—Defection of Corsica—Banishment of the Bourbons—Abasement of Egalité—Imprisonment of Marat—Intelligence from Dampierre.

WHILE such was their criminal inattention to the armies of the republic, the infatuated convention was amusing itself with a petty and ignoble triumph over their fallen sovereign; and instead of uniting with firmness and patriotism against that combination of despots which threatened the extinction of their liberties, they were only active to dispute, and persevering to oppress.

To understand rightly the origin of the violent proceedings against the deposed monarch, it will be necessary to revert to the state of parties in France at a period anterior to that of which we are now treating. It will be remembered, that we intimated that almost from the first assembling of the national convention, that body was divided by faction, and two virulent parties contended earnestly for the sovereign authority. The party which first assumed the reins of government after the deposition of the king affected a tone of moderation; and either from principle, policy, compact or engagement, intended, we are disposed to believe, to save the life of the unfortunate monarch. The multitude, on the other hand, is always sanguinary; and whoever contemplates the conduct of the French
populac^e,

populace, as displayed in so many fatal instances in the course of this history, will be disposed to acknowledge, that either from a hasty or violent spirit, or from the influence of those habits which were acquired under the old government, they have acted on most occasions with more than usual cruelty. Many circumstances contributed to exasperate this insatuated people against the unhappy king. Though other nations may doubt of his guilt in promoting the designs of the counter-revolutionists, no doubt of it was entertained in France. The intemperate revenge of those who had lost near connexions or friends on the fatal 10th of August was not yet satisfied, and a considerable share of the guilt of that day was unjustly thrown upon a single illustrious victim. These passions were industriously cherished by the great movers of faction and sedition; they had acquired a decided majority in the Jacobin clubs who governed the nation, and every thing conspired for the promotion of their views. The Gironde, or moderate party, themselves were reduced to a singular dilemma. If the king was innocent, then they, who were the chief authors and actors in the dreadful affair of the 10th of August, must have been guilty of the worst of treasons; if he was not innocent, why should he not receive the reward of his delinquency?

The rage of faction had arisen to an alarming excess in the convention itself. The mountain party, or anarchists as they were called, were charged, as we have already seen, with the horrid massacre of the 2d of September, and the Gironde had repeatedly demanded a severe examination into the origin of those atrocious transactions. The intentions of the Gironde in favour of the king were not unknown to their opponents, who were also perfect masters of the public sentiments upon that subject; and therefore the only means that appeared of effecting the destruction of their rivals was to clamour incessantly for the trial and the condemnation of the king, as it was evident that in either event they must be finally triumphant;

phant; if the king should be acquitted, the charge of inconsistency must inevitably fix upon those who operated the change in the government; if he should be condemned, the views and the engagements of the Gironde must be frustrated.

Such were, in all probability, the motives and intention of Robespierre, Marat, Danton, and the other leaders of the mountain party, in urging the fate of the devoted Louis. It was impossible longer to resist the torrent of popular violence; and in the beginning of October the clamours of Marat, Merlin, and other incendiaries, plunged the convention into a series of decrees, the result of which could only be fatal to the king. An extraordinary commission was appointed of twenty-four members, who were authorised to examine and arrange the body of evidence against him. Louis was separated from his family, and the whole of the unhappy prisoners in the temple were guarded with redoubled vigilance. On the 6th of November, Valazé, one of the commission of twenty-four, made a report of accusation against the king, the principal articles of which were drawn from an exercise of that very power with which the representative body had legally intrusted him. Acts committed anterior to his acceptance of the constitution were adduced as evidence to prove his intentions of violating it, and the precautions which he took on the night preceeding the bloody 10th of August, dictated most probably by motives of personal safety only, were construed into premeditated plots to destroy the citizens of Paris.

Some facts, indeed, rested upon rather better grounds of evidence. Papers were produced in proof of the king having remitted sums of money to certain emigrants; but they appeared rather the dictates of compassion towards the distressed, than of treachery towards his country. It appeared also from the same papers which had been found in the Tuilleries, that money had been actually distributed to certain journalists and writers in favor of monarchy; but these
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are the common, and surely in most cases the venial, practices of courts; and in the instance before us might be considered as the mere dictates of self-defence.

The question, however, which embarrassed most his accusers was, Whether the king was not invested by the constitution with perfect and legal inviolability; and whether, consistently with justice, he whom the law had solemnly pronounced to be above the reach of any legal process could be brought to trial. This objection was strangely and most iniquitously over-ruled by the convention, who in this instance established the precedent, always so fatal to liberty, of an *ex post facto* law, and evinced to the eyes of Europe their inattention to those "rights of man" which the nation had solemnly proclaimed.

On the 11th of December the ill-fated monarch was ordered to the bar of the convention; the act of accusation was read, and the king was summoned, by the president Barrere, to answer to each separate charge. So important a record it would be inconsistent with the fidelity of history to abridge, and we have therefore determined to present to our readers the examination at large. After a short address from the president, the prisoner was permitted to seat himself at the bar, and the examination proceeded:

PRES. "LOUIS, the French nation accuses you of having committed a multitude of crimes to establish your tyranny, in destroying her freedom. You, on the 20th of June 1789, attempted the sovereignty of the people, by suspending the assemblies of their representatives, and expelling them with violence from the places of their sittings. This is proved in the procès verbal entered at the tennis-court of Versailles by the members of the constituent assembly. On the 23d of June you wanted to dictate laws to the nation—you surrounded their representatives with troops—you presented to them two royal declarations, subversive of all liberty, and ordered them to separate.

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Your own declarations, and the minutes of the assembly prove these attempts—What have you to answer?"

LOUIS. "No laws were then existing to prevent me from it."

PRES. "You ordered an army to march against the citizens of Paris. Your satellites have shed the blood of several of them, and you would not remove this army till the taking of the Bastille, and a general insurrection announced to you that the people were victorious. The speeches you made on the 9th, 12th, and 14th of July, to the deputations of the constituent assembly, shew what were your intentions; and the massacres of the Tuilleries rise in evidence against you—What have you to answer?"

LOUIS. "I was master at that time to order the troops to march; but I never had an intention of shedding blood."

PRES. "After these events, and in spite of the promises which you made on the 15th, in the constituent assembly, and on the 17th in the town-house of Paris, you have persisted in your projects against national liberty; you long eluded the execution of the decrees of the 11th of August, respecting the abolition of personal servitude, the feudal government and tithes. You long refused acknowledging the rights of man: you doubled the number of the life-guards, and called the regiment of Flanders to Versailles: you permitted, in orgies held before your eyes, the national cockade to be trampled under foot, the white cockade to be hoisted, and the nation to be slandered. At last, you rendered necessary a fresh insurrection, occasioned the death of several citizens, and did not change your language till after your guards had been defeated, when you renewed your perfidious promises. The proofs of these facts are in your observations of the 18th of September, in the decrees of the 11th of August, in the minutes of the constituent assembly, in the events of Versailles of the 5th and 6th of October, and in the conversation you had on the same day with a deputation of the constituent assembly, when you told

told them, You would enlighten yourself with their councils, and never recede from them.—What have you to answer?"

LOUIS. "I have made the observations which I thought just on the two first heads. As to the cockade, it is false: it did not happen in my presence."

PRES. "You took an oath, at the federation of the 14th of July, which you did not keep. You soon tried to corrupt the public opinion, with the assistance of Talon, who acted in Paris, and Mirabeau, who was to have excited counter-revolutionary movements in the provinces.—What have you to answer?"

LOUIS. "I do not know what happened at that time, but the whole is anterior to my acceptance of the constitution."

PRES. "You lavished millions of money to effect this corruption, and you would even use popularity as a means of enslaving the people. These facts are the result of a memorial of Talon, on which you have made your marginal comments in your own handwriting, and of a letter which Laporte wrote to you on the 19th of April, in which, recapitulating a conversation he had with Rivaral, he told you, that the millions, which you had been prevailed upon to throw away, had been productive of nothing. For a long time you had meditated on a plan of escape. A memorial was delivered to you on the 28th of February, which pointed out the means for you to effect it; you approve of it by marginal notes.—What have you to answer?"

LOUIS. "I felt no greater pleasure than that of relieving the needy—This proves no design."

PRES. "On the 28th a great number of the nobles and military came into your apartments in the castle of the Tuilleries, to favour that escape: you wanted to quit Paris on the 10th of April to go to St. Cloud.—What have you to answer?"

LOUIS. "This accusation is absurd."

PRES. "But the resistance of the citizens made you sensible that their distrust was great; you endeavoured

voured to discard it by communicating to the constituent assembly a letter which you addressed to the agents of the nation near foreign powers, to announce to them, that you had freely accepted the constitutional articles, which had been presented to you; and, notwithstanding, on the 21st you took flight with a false passport. You left behind a protest against these self-same constitutional articles; you ordered the ministers to sign none of the acts issued by the national assembly; and you forbade the minister of justice to deliver up the seals of state. The public money was lavished to insure the success of this treachery, and the public force was to protect it, under the orders of Bouillé, who shortly before had been charged with the massacre of Nancy, and to whom you wrote on this head, 'To take care of his popularity, because it would be of service to you.' These facts are proved by the memorial of the 23d of February, with marginal comments in your own hand-writing; by your declaration of the 20th of June, wholly in your own hand-writing; by your letter of the 4th of September, 1790, to Bouillé; and by a note of the latter, in which he gives you an account of the use he made of nine hundred and ninety-three thousand livres, given by you, and employed partly in trepanning the troops who were to escort you.—What have you to answer?"

LOUIS. "I have no knowledge whatever of the memorial of the 23d of February. As to what relates to my journey to Varennes, I appeal to my declaration to the commissaries of the constituent assembly at that period."

PRES. "After your detention at Varennes, the exercise of the executive power was, for a moment, suspended in your hands, and you again formed a conspiracy. On the 17th of July the blood of citizens was shed in the Champ de Mars. A letter, in your own hand-writing, written in 1790, to La Fayette, proves that a criminal coalition subsisted between you and La Fayette, to which Mirabeau acceded. The revision began under these cruel auspices; all kinds of
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of corruptions were made use of. You have paid for libels, pamphlets, and newspapers, designed to corrupt the public opinion, to discredit the assignats, and to support the cause of the emigrants. The registers of Septeuil shew what immense sums have been made use of in these liberticide manœuvres.—What have you to answer?"

LOUIS. "What happened on the 17th of July has nothing at all to do with me. I know nothing of it."

PRES. "You seemed to accept the constitution on the 14th of September; your speeches announced an intention of supporting it, and you were busy in overturning it, even before it was completed. A convention was entered into at Pilnitz on the 24th of July, between Leopold of Austria and Frederic-William of Brandenburg, who pledged themselves to re-erect in France the throne of absolute monarchy, and you were silent upon this convention till the moment when it was known by all Europe—What have you to answer?"

LOUIS. "I made it known as soon as it came to my knowledge; besides, every thing that refers to this subject concerns the minister."

PRES. "Arles had hoisted the standard of rebellion; you favoured it by sending three civil commissaries, who made it their business not to repress the counter-revolutionists, but to justify their proceedings—What have you to answer?"

LOUIS. "The instructions which were given to the commissaries must prove what was their mission; and I knew none of them, when the ministers proposed them to me."

PRES. "Avignon, and the county of Venaissin, had been united with France; you caused the decree to be executed; but a month after that time civil war desolated that country. The commissaries you sent thither helped to ravage it.—What have you to answer?"

LOUIS. "I do not remember what delay has been caused in the execution of the decree; besides,

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this occurrence has no personal reference to me—it only concerns those that have been sent, not those who sent them.”

PRES. “Nîmes, Montauban, Mende, Jales, felt great shocks during the first days of freedom. You did nothing to stifle those germens of counter-revolution, till the moment when Saillant’s conspiracy became manifestly notorious.—What have you to answer?”

LOUIS. “I gave, in this respect, all the orders which were proposed to me by the ministers.”

PRES. “You sent twenty-two battalions against the Marseillois, who marched to reduce the counter-revolutionists of Arles.—What have you to answer?”

LOUIS. “I ought to have the pieces referring to this matter, to give a just answer.”

PRES. “You gave the southern command to Witgenstein, who wrote to you on the 21st of April, 1792, after he had been recalled: ‘A few instants more, and I shall call around the throne of your majesty, thousands of French, who are again become worthy of the wishes you form for their happiness’—What have you to answer?”

LOUIS. “This letter is dated since his recall; he has not been employed since. I do not recollect this letter.”

PRES. “You paid your late life guards at Coblenz; the registers of Septeuil attest this; and general orders signed by you prove, that you sent considerable remittances to Bouillé, Rochefort, Vauguyon. Choiseul, Beaupré, Hamilton, and the wife of Polignac—What have you to answer?”

LOUIS. “When I first learnt that my life-guards assembled beyond the Rhine, I stopped their pay; as to the rest, I do not remember.”

PRES. “Your brothers, enemies to the state, caused the emigrants to rally under their banners: they raised regiments, took up loans, and concluded alliances in your name: you did not disclaim them, but at the moment when you were fully certain that you
could

could no longer cross their projects, your intelligence with them by a note, written by Louis Stanislaus Xavier, signed by your two brothers, was conceived in these words :

‘ I wrote to you, but it was by post, and I could say nothing. We are two here, who make but one ; one in sentiments, one in principles, one in zeal of serving you. We keep silence ; because, were we to break it too soon, it would injure you : but we shall speak as soon as we shall be certain of general support, and that moment is near. If we are spoken to on the part of those people, we shall hear nothing ; but if on your part, we will listen : we shall pursue our road straight ; it is therefore desired that you will enable us to say something ; do not stand on ceremonies. Be easy about your safety ; we only exist to serve you ; we are eagerly occupied with this point, and all goes on well ; even our enemies feel themselves too much interested in your preservation to commit an useless crime which would terminate in their own destruction. Adieu.

‘ L. S. XAVIER and CHARLES PHILIPPE.’

“ What have you to answer ? ”

LOUIS. “ I disowned all the proceedings of my brothers, according as the constitution prescribed me to do, and from the moment they came to my knowledge. Of this note I know nothing.”

PRES. “ The soldiers of the line, who were to be put on the war establishment, consisted of but one hundred thousand men at the end of December, you therefore neglected to provide for the safety of the state from abroad. Narbonne required a levy of fifty thousand men, but he stopped the recruiting at twenty-six thousand, in giving assurances that all was ready ; yet there was no truth in these assurances. Servan proposed after him to form a camp of twenty thousand men near Paris ; it was decreed by the legislative assembly ; you refused your sanction.—What have you to answer ?

LOUIS.

LOUIS. "I had given to the ministers all the orders for expediting the augmentation of the army: in the month of December last, the returns were laid before the assembly. If they deceived themselves, it is not my fault."

PRÉS. "A flight of patriotism made the citizens repair to Paris from all quarters. You issued a proclamation, tending to stop their march; at the same time our camps were without soldiers. Dumourier, the successor of Servan, declared, that the nation had neither arms, ammunition, nor provisions, and that the posts were left defenceless. You waited to be urged by a request made to the minister Lajard, when the legislative assembly wished to point out the means of providing for the external safety of the state, by proposing the levy of forty-two battalions. You gave commission to the commanders of the troops to disband the army, to force whole regiments to desert, and to make them pass the Rhine to put them at the disposal of your brothers, and of Leopold of Austria, with whom you had intelligence. This fact is proved by the letter of Toulougeon, governor of Franche Comté!—What have you to answer?"

LOUIS. "I know nothing of this circumstance; there is not a word of truth in this charge."

PRÉS. "You charged your diplomatical agents to favour this coalition of foreign powers and your brothers, against France, and especially to cement the peace between Turkey and Austria, and to procure thereby a larger number of troops against France from the latter. A letter of Choiseul-Gouffier, ambassador at Constantinople, verifies the fact—What have you to answer?"

LOUIS. "M. Choiseul did not speak the truth; no such thing has ever been."

PRÉS. "The Prussians advanced against our frontiers: your minister was summoned on the 8th of July to give an account of the state of our political relations with Prussia; you answered, on the 10th, that
fifty

fifty thousand Prussians were marching against us, and that you gave notice to the legislative body of the formal acts of the pending hostilities, in conformity to the constitution.—What have you to answer?"

LOUIS. "It was only at that period I had knowledge of it: all the correspondence passed with the ministers."

PRES. "You entrusted Dabancourt, the nephew of Calonne, with the department of war; and such has been the success of your conspiracy, that the posts of Longwy and Verdun were surrendered to the enemy at the moment of their appearance.—What have you to answer?"

LOUIS. "I did not know that Dabancourt was M. Calonne's nephew; I have not divested the posts. I would not have permitted myself such a thing; I know nothing of it, if it has been so."

PRES. "You have destroyed our navy—a vast number of officers belonging to that corps had emigrated, there scarcely remained any to do duty in the harbours; mean while Bertrand was granting passports every day; and when the legislative body represented to you his criminal conduct on the 8th of March, you answered, that you were satisfied with his services—What have you to answer?"

LOUIS. "I have done all I could to retain the officers. As to M. Bertrand, since the legislative assembly presented no complaint against him, that might have put him in a state of accusation, I did not think proper to turn him out of office."

PRES. "You have favoured the maintainance of absolute government in the colonies; your agents fomented troubles and counter-revolutions throughout them, which took place at the same epoch when it was to have been brought about in France, which indicates plainly that your hand laid this plot.—What have you to answer?"

LOUIS. "If there are any of my agents in the colonies, they have not spoken the truth; I had nothing to do with what you have just mentioned."

PRES.

PRES. "The interior of the state was convulsed by fanatics; you avowed yourself their protector, in manifesting your evident intention of recovering by them your ancient power.—What have you to answer?"

LOUIS. "I cannot answer to this; I know nothing of such a project."

PRES. "The legislative body had passed a decree on the 29th of January, against the factious priests; you suspended its execution.—What have you to answer?"

LOUIS. "The constitution reserved to me the free right to refuse my sanction of the decrees."

PRES. "The troubles had increased; the minister declared that he knew no means, in the laws extant, to arraign the guilty. The legislative body enacted a fresh decree, which you likewise suspended.—What have you to say to this?"

[LOUIS replied, in the same manner as in the preceding charge.]

PRES. "The uncitizen-like conduct of the guards whom the constitution had granted you, had rendered it necessary to disband them. The day after, you sent them a letter expressive of your satisfaction, and continued their pay. This fact is proved by the treasurer of the civil list.—What have you to answer?"

LOUIS. "I only continued them in pay till fresh ones could be raised, according to the tenor of the decree."

PRES. "You kept near your person the Swiss guards: the constitution forbade you this, and the legislative assembly had expressly ordained their departure.—What have you to answer?"

LOUIS. "I have executed all the decrees that have been enacted in this respect?"

PRES. "You had private companies at Paris, charged to operate movements useful to your projects of a counter-revolution. Dangremont and Gilles were two of your agents, who had salaries from the civil list. The receipts of Gilles, who was ordered

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to raise a company of sixty men, shall be presented to you—What have you to answer?"

LOUIS. "I have no knowledge whatever of the projects laid to their charge; the idea of a counter-revolution never entered into my mind."

PRES. "You wished to suborn, with considerable sums, several members of the legislative and constituent assemblies. Letters from St. Leon and others evince the reality of these deeds—What have you to answer?"

LOUIS. "Several persons presented themselves with similar decrees, but I have waved them."

PRES. "Who are they that presented you those projects?"

LOUIS. "The plans were so vague that I do not recollect them now."

PRES. "Who are those to whom you gave money?"

LOUIS. "I gave money to nobody."

PRES. "You suffered the French name to be reviled in Germany, Italy, and Spain; since you omitted to demand satisfaction for the bad treatment which the French suffered in those countries.—What have you to answer?"

LOUIS. "The diplomatical correspondence will prove the contrary; besides, this was a concern of the ministers."

PRES. "You reviewed the Swiss on the 10th of August, at five o'clock in the morning; and the Swiss were the first who fired upon the citizens."

LOUIS. "I went on that day to review all the troops that were assembled about me; the constituted authorities were with me, the department, the mayor and municipality; I had even invited thither a deputation of the national assembly, and I afterwards repaired into the midst of them with my family."

PRES. "Why did you draw troops to the castle?"

LOUIS. "All the constituted authorities saw that the castle was threatened; and as I was a constituted authority I had a right to defend myself."

PRES.

PRES. "Why did you summon the mayor of Paris, in the night between the 9th and 10th of August, to the castle?"

LOUIS. "On account of the reports that were circulated."

PRES. "You have caused the blood of the French to be shed."

LOUIS. "No, sir, not I."

PRES. "You authorized Septeuil to carry on a considerable trade in corn, sugar and coffee at Hamburg. This fact is proved by a letter of Septeuil."

LOUIS. "I know nothing of what you say."

PRES. "Why did you affix a veto on the decree which ordained the formation of a camp of twenty thousand men?"

LOUIS. "The constitution left to me the free right of refusing my sanction of the decrees; and even from that period I had demanded the assemblage of a camp at Soissons."

"PRESIDENT, addressing the Convention. "The questions are done with"—(To LOUIS), "LOUIS is there any thing that you wish to add?"

LOUIS. "I request a communication of the charges which I have heard, and of the pieces relating thereto, and the liberty of choosing counsel for my defence."

Valazé, who sat near the bar, presented and read to LOUIS CAPET the pieces, viz. The memoir of Laporte and Mirabeau, and some others containing plans of a counter-revolution.

LOUIS. "I disown them."

VALAZE. "Letter of LOUIS CAPET, dated June 29, 1790, settling his connexions with Mirabeau and La Fayette, to effect a revolution in the constitution."

LOUIS. "I reserve to myself to answer the contents."—(Valazé read the letter)—"It is only a plan, in which there is no question about a counter-revolution; the letter was not to have been sent."

VALAZE.

VALAZE. " Letter of LOUIS CAPET, of the 22d of April, relative to conversations about the Jacobins, about the president of the committee of finances, and the committee of domains; it is dated by the hand of LOUIS CAPET."

LOUIS. " I disown it."

VALAZE. " Letter of Laporte of Thursday morning, March 3, marked in the margin, in the hand-writing of LOUIS CAPET, with march 3, 1791, implying a pretended rupture between Mirabeau and the Jacobins."

LOUIS. " I disown it."

VALAZE. " Letter of Laporte without date, in his hand-writing, but marked in the margin by the hand of LOUIS CAPET, containing particulars respecting the last moments of Mirabeau, and expressing the care that had been taken to conceal from the knowledge of men, some papers of great concern which had been deposited with Mirabeau."

LOUIS. " I disown it as well as the rest."

VALAZE. " Plan of a constitution, or revision of the constitution, signed La Fayette, addressed to LOUIS CAPET, April 6, 1790, marked in the margin with a line in his own hand-writing."

LOUIS. " These things have been blotted out by the constitution."

VALAZE. " Do you know this writing?"

LOUIS. " I do not."

VALAZE. " Your marginal comments?"

LOUIS. " I do not."

VALAZE. " Letter of Laporte of the 19th of April, marked in the margin by LOUIS CAPET, April 19, 1791, mentioning a conversation with Rivarol."

LOUIS. " I disown it."

VALAZE. " Letter of Laporte, marked April 16, 1791, in which it seems complaints are made of Mirabeau, the abbé Perigord, André, and Beaumetz, who do not seem to acknowledge sacrifices made for their sake."

LOUIS. " I disown it likewise."

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VALAZE,

VALAZE. "Letter of Laporte of the 23d of February, 1791, marked and dated in the hand-writing of LOUIS CAPET; a memorial annexed to it, respecting the means of his gaining popularity."

LOUIS. "I know neither of these pieces."

VALAZE. "Several pieces without signature, found in the castle of the Tuilleries, in the gap which was shut in the walls of the palace, relating to the expences to gain that popularity."

PRESIDENT. "Previous to an examination on this subject, I wish to ask a preliminary question:—Have you caused a press with an iron door to be constructed in the castle of the Tuilleries, and had you your papers locked up in that press?"

LOUIS. "I have no knowledge of it whatever."

VALAZE. "Here is a day-book written by LOUIS CAPET himself, containing the pensions he has granted out of his coffer from 1776 till 1792, in which, are observed some douceurs granted to Acloque."

LOUIS. "This I own, but it consists of charitable donations which I have made."

VALAZE. "Different lists of sums paid to the Scotch companies of Noailles, Gramont, Montmorency, and Luxemburgh, on the 9th of July, 1791."

LOUIS. "This is prior to the epoch when I forbade them to be paid."

PRESIDENT. "LOUIS, where had you deposited those pieces which you own?"

LOUIS. "With my treasurer."

VALAZE. "Do you know these pension lists of the life guards, the one hundred Swiss, and the king's guards for 1792?"

LOUIS. "I do not."

VALAZE. "Several pieces relative to the conspiracy of the camp of Jales, the originals of which are deposited among the records of the department of L'Ardèche."

LOUIS. "I have not the smallest knowledge of them."

VALAZE.

VALAZE. "Letter of Bouillé, dated Mentz, bearing an account of 993,000 livres received of LOUIS CAPET."

LOUIS. "I disown it."

VALAZE. "An order for payment of 168,000 livres, signed LOUIS, endorsed Le Bonneirs, with a letter and billet of the same."

LOUIS. "I disown it."

VALAZE. "Two pieces relative to a present made to the wife of Polignac, and to Lavauguyon and Choiseul."

LOUIS. "I disown them as well as the others."

VALAZE. "Here is a note signed by the two brothers of the late king, mentioned in the declaratory act."

LOUIS. "I know nothing of it."

VALAZE. "Here are pieces relating to the affair of Choiseul-Gouffier, at Constantinople."

LOUIS. "I have no knowledge of them."

VALAZE. "Here is a letter of the late king to the bishop of Clermont, with the answer of the latter, of the 16th of April, 1791."

LOUIS. "I disown it."

PRESIDENT. "Do you not acknowledge your writing and your signet?"

LOUIS. "I do not."

PRESIDENT. "The seal bears the arms of France."

LOUIS. "Several persons made use of that seal."

VALAZE. "Do you acknowledge this list of sums paid to Gilles?"

LOUIS. "I do not."

VALAZE. "Here is a memorandum for indemnifying the civil list for the military pensions; a letter of Dufresne St. Leon, which relates to it."

LOUIS. "I know none of these pieces*."

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* When the king had answered all the questions, the original papers on which part of the accusation was founded, were laid on the table. Valazé, taking them up one by one, and reading the title, said, as he presented each to the king, "Louis Capet, la reconnoissez-vous?"

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In the course of the debates upon this important trial, the convention agreed to allow counsel to the prisoner. His choice fell upon three distinguished advocates, M. M. Tronchet, Lamoignon-Maleherbes*, and Deseze; he had previously applied to M. Target, who excused himself on account of his infirmity. On the 26th of December the king appeared for the last time at the bar of the convention, and M. Deseze read a defence which the counsel had prepared, and which was equally admired for the solidity of the arguments

If the king answered that he knew it, Valazé said, "Louis la reconnoit;" and the president repeated, "La piece est reconnue." If the king disavowed it, they said, "Louis ne la reconnoit pas—La piece n'est pas reconnue."

The king disavowed many of them. When the whole had been investigated in this manner, the president addressing the king, said, "I have no other questions to propose—have you any thing more to add in your defence?" "I desire to have a copy of the accusation," replied the king, "and of the papers on which it is founded. I also desire to have a counsel of my own nomination." Barrere informed him, that his two first requests were already decreed, and that the determination respecting the other would be made known to him in due time. Dr. Moore's Journal, Vol. II.

* Monsieur de Lamoignon-Maleherbes is a man of an amiable and respectable character; of distinguished sense, probity, and learning; of one of the chief families of what is called the Robe in France; he is grandson of the chancellor Lamoignon, who was an intimate friend of Boileau, Racine, and other men of genius in the reign of Louis the fourteenth.

The present monsieur de Maleherbes distinguished himself towards the end of the reign of Louis XV. by some very eloquent and courageous remonstrances which he drew up when he was first president of the *Cour des Aides*, and for which he was banished.

In the beginning of the reign of Louis XVI. he succeeded monsieur de St. Florentin in the ministry; but afterwards, for reasons which are variously stated, he desired and obtained leave to retire.

This respectable man is seventy-two years of age; his generous offer to be counsel for the king gains him the applause of the public, and forms a contrast greatly in his favour with the cautious conduct of M. Target, which has been condemned by all parties. Even the fishwomen of Paris marked the difference, went in a body and hung garlands of flowers and laurel on the gate of monsieur de Maleherbes, and afterwards proceeded to the house of monsieur Target, in the intention to insult him in a manner peculiar to themselves. Fortunately for him, he was advertised of their intention, and made his escape. Dr. Moore's Journal, Vol. II.

gument and the beauty of the composition. The opinions of the convention themselves appeared shaken and divided; and M. Lanjuinais, one of them members, exhorted them not to confound the characters of judges, jury, and accusers, having already virtually set forth their opinions to the world.

The discussion was fatally closed on the 19th of January. After a sitting of near thirty-four hours, the punishment of death was voted by a small majority of the convention, and several of these differing in opinion from the rest, respecting the time when it should be inflicted; some contending that it should not be put in execution till after the end of the war, while others proposed to take the sense of the people by referring the sentence to the primary assemblies. The conclusion of this unhappy business is too well known to require a minute detail. It was however on the best grounds believed, that the majority of the convention were compelled to this unjust measure by the apprehension of becoming victims to popular fury, since a formidable mob was collected who openly threatened by name a considerable number of the deputies, and declared their intention to murder them if they refused to vote for the death of the king. Every circumstance indeed warrants us in asserting that this decision was more the effects of factious fury than of temperate deliberation, and that the cause of liberty has certainly been impeded by the unprincipled violence of its pretended votaries.

Britons may exult that there was not an Englishman to be found upon this sanguinary list. The only one in the convention, the celebrated Thomas Paine, did not vote, but sent his opinion to the president, which was, that Louis Capet should be banished to America at the end of the war, and kept a prisoner till that event.

The president having announced that he was about to declare the result of their long and important deliberations, a profound and awful silence ensued, while he declared, that out of seven hundred and twenty

twenty-one votes, three hundred and sixty-six were for death*, three hundred and nineteen for imprisonment during the war, two for perpetual imprisonment, eight for a suspension of the execution of death till after the expulsion of the Bourbons; twenty-three were for not putting him to death, unless the French territory should be invaded by some foreign power; and one was for death, but with commutation of punishment. The president concluded in a lower and more solemn tone, and, taking off his hat, pronounced, "In consequence of this I declare, that the punishment decreed by the national convention against Louis Capet is *death*." The Spanish court through the medium of its minister made a becoming application to the assembly, previous to the passing of the sentence, in behalf of the deposed sovereign; but the reading of the letter was rejected with equal insolence and imprudence. At this period of the sitting, the king's three counsellors were admitted to the bar, and one of them, M. Deseze, addressed the convention:

"Citizens, representatives, the law of the nation and your decrees have entrusted to us the sacred function of the defence of Louis. We come, with regret, to present to you the last act of our function. Louis has given to us his express charge to read to you a letter signed with his own hand, of which the following is a copy:

LETTER FROM LOUIS.

"I owe it to my own honour, I owe it to my family, not to subscribe to a sentence which declares me guilty of a crime of which I cannot accuse myself. In consequence, I appeal to the nation from the sentence of its representatives; and I commit by these presents to the fidelity of my defenders, to make known to the national convention this appeal, by all the

* In this list, to the shame of human nature, was the name of the base and infamous Egalité.

the means in their power, and to demand, that mention of it be made in the minutes of their sitting.

(Signed)

LOUIS."

M. Deseze then solemnly invoked the assembly in the name of his colleagues, to consider by what a small majority the punishment of death was pronounced against the dethroned monarch. "Do not afflict France," added this eloquent advocate, "by a judgment that will appear terrible to her, when *five* voices only were presumed sufficient to carry it." He appealed to eternal justice, and sacred humanity, to induce the convention to refer their sentence to the tribunal of the people. "You have either forgotten or destroyed," said the celebrated M. Tronchet, "the lenity which the law allows to criminals, of requiring at least *two-thirds* of the voices to constitute a definitive judgement."

A melancholy gloom and awful silence superseded the native gaiety of the French capital during the last days of the life of the deplored Louis, as if some future calamity was presaged to that irritable and factious city; while bodies of armed men patrolled the metropolis, the suppressed sighs and the restrained lamentations announced to the thinking world, that a fair appeal to the people would have granted life at least to him, who had suffered the mortification of descending from the station of an exalted sovereign to that of a degraded citizen.

After passing Sunday in preparations for his approaching change, and taking an eternal and agonizing farewell of his wife and family, the unfortunate Louis, as the clocks of Paris sounded eight on Monday morning, was summoned to his fate. The monarch ascended the scaffold with heroic fortitude, with a firm step, and a countenance void of dismay; and being prevented from addressing the people, he was sent before the tribunal of the Omipotent, to claim and probably to receive, that justice which his earthly

ly judges had denied him*. Some of the members who had been most active in their endeavours to save the king, immediately resigned their seats in the convention

* The following account of the last moments of this unfortunate monarch is truly interesting. It is extracted from the Letters of an English Lady at that time in Paris.

"The French king received the intelligence of his approaching fate without dismay. He displayed far more firmness upon the scaffold than he had done upon the throne, and atoned for the weakness and inconsistency of his conduct in life, by the calmness and fortitude of his behaviour in death. The evening before his execution, his family, from whom he had been separated since the commencement of his trial, were conducted to the tower of the Temple, and allowed the sad indulgence of a last interview, unmolested by the presence of his guards. Alas! when imagination pictured the anguish of such an interview, it was not necessary to look back upon the former elevation of the sufferer, in order to pity the gloomy transition in his fate! It was not necessary to recollect, that he who was the following morning to suffer death upon the scaffold, was once the first monarch of Europe, and would be led to execution through the streets of his own capital! It was enough to consider this unfortunate person as a man, a husband, a father! Ah, surely, amidst the agonies of final separation from those to whom we are bound by the strongest ties of nature and affection! surely when we cling to those we love, in the unutterable pang of a last embrace—in such moments the monarch must forget his crown, and the regrets of disappointed ambition must be unfelt amidst the anguish which overwhelms the broken heart. That anguish was not confined to the bosom of the king, the queen, and his sister. The princess, his daughter, has attained that age when perhaps the soul is most susceptible of strong impressions, and its sensibility most exquisite. Even the young prince, who is only in his ninth year, caught the infectious sorrow, and, while his eyes were bathed in tears, cried sobbing, to Santerre, "Ah, laissez-moi courir les rues!—j'irai aux districts—j'irai à toutes les sections, demander grace pour mon papa!"

"The king had sufficient firmness to avoid seeing his family on the morning of his execution. He desired the queen might be told that he was unable to bear the sight of her and his children in those last moments. He took a ring off his finger, which contained some of his own hair, of the queen's, and of his two children, and desired it might be given to the queen. He called the municipal officers round him, and told them it was his dying request, that Clery, his valet de chambre, might remain with his son. He then said to Santerre, "Marchons;"[†] and after crossing, with a hurried pace, the inner court of the Temple, he got into the mayor's carriage, which was in waiting, and was attended by his confessor.—

"The

* "Oh! let me run through the streets—I will go to the districts—I will go to all the sections, and beg for my papa."

† "Let us go."

vention, particularly Kersaint and Manuel. The minister Roland also resigned on this occasion, and for this cause: the war minister Pache was soon after dismissed.

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"The calmness which Louis the sixteenth displayed on this great trial of human fortitude, is attributed not only to the support his mind received from religious faith, but also to the hope which it is said he cherished, even till his last moment, that the people, whom he meant to address from the scaffold, would demand that his life might be spared. And his confessor, from motives of compassion, had encouraged him in this hope. After ascending the scaffold with a firm step, twice the unhappy monarch attempted to speak, and twice Santerre prevented him from being heard by ordering the drums to beat immediately. — Alas! had he been permitted to speak, poor was his chance of exciting commiseration! Those who pitied his calamities had carefully thinned that fatal spot; and those who most immediately surrounded him, only waited till the stroke was given, in order to dip their pikes and their handkerchiefs in his blood!

"Two persons who were on the scaffold assert, that the unhappy monarch, finding the hope he had cherished, of awakening the compassion of the people, frustrated by the impossibility of his being heard, as a last resource, declared that he had secrets to reveal of importance to the safety of the state, and desired he might be led to the national convention. Some of the guards who heard this declaration, cried, "Yes, let him go the convention!" — Others said "No." — Had the king been conducted to the convention, it is easy to imagine the effect which would have been produced on the minds of the people, by the sight of their former monarch led through the streets of Paris, with his hands bound, his neck bare, his hair already cut off at the foot of the scaffold in preparation for the fatal stroke — with no other covering than his shirt. At that sight the enraged populace would have melted into tenderness, and the Parisian women, among whom were numbers who passed the day in tears of unavailing regret, would have rushed between the monarch and his guards, and have attempted his rescue, even with the risque of life. Santerre, who foresaw these consequences, who perceived the danger of this rising dispute among the guards, called to the executioner to do his office. — Then it was, that despair seized upon the mind of the unfortunate monarch — his countenance assumed a look of horror — twice with agony he repeated, "Je suis perdu! Je suis perdu!" His confessor mean time called to him from the foot of the scaffold, "Louis, fils de St. Louis, montez au ciel!" and in one moment he was delivered from the evils of mortality.

"The executioner held up the bleeding head, and the guards cried "Vive la Republique!" Some dipped their handkerchiefs in the blood — but the greater number, chilled with horror at what had passed, desired the commandant would lead them instantly from the spot. The hair

was

* "I am undone! I am undone!"

* "Son of St. Louis, ascend to heaven!"

mised, and Bournonville succeeded to that department. Soon after the condemnation of the king, M. Pelletier de St. Fargeau, a deputy of the convention, who had voted for his death, was assassinated by a person of the name of Paris, who had formerly been one of the gardes du corps. The convention decreed public honours to the memory of Pelletier; but the assassin, who appeared to be insane, escaped to the country, where he soon after destroyed himself.

Among other misfortunes in which the murder of the king involved the French nation, we must certainly account that of a war with Great-Britain. On the first establishment of the revolution, the heart of every Englishman beat in unison with those of the patriots of France. Some imprudent steps of the first assembly lessened the number of its admirers; but notwithstanding the declamations of Mr. Burke, when the French were first invaded by foreign despots, "success to their arms" was resounded from every quarter of this kingdom. The horrid massacres of the 10th of August, and the second of September disgraced the name of liberty, which the predominant faction had assumed; but still, such was the veneration of Britons for even that sacred name, that we are persuaded, had the convention abstained from imbruing their hands *deliberately* in the blood of a fallen and perhaps innocent man, all the arts of ministry would never have led the people of England to countenance a war.

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was sold in separate tresses at the foot of the scaffold; and, as if every incident of this tragedy had been intended to display the strange vicissitudes of human fortune, as if every scene were meant "to point a moral," the body was conveyed in a cart to the parish church of St. Madeleine, and laid among the bodies of those who had been crushed to death on the Place de Louis XV. when Louis the sixteenth was married, and of those who had fallen before the chateau of the Tuilleries, on the 10th of August.

"The grave was filled with quick lime, and a guard placed over it till the corpse was consumed. The ground was then carefully levelled with the surrounding earth, and no trace or vestige remains of that spot, to which, shrouded by the doubtful gloom of twilight, ancient loyalty might have repaired, and poured a tear, or superstition breathed its ritual for the departed spirit."

It would be a tedious, and therefore an unwelcome undertaking, to trace minutely and gradually the progress of the dispute between France and England. Without affixing any degree of credit to the reports which have been circulated, that the court of Great Britain had early but secretly acceded to the concert of princes, and the treaty of Pilnitz; we may venture to observe at least, that the British ministry had long viewed with a jealous eye the progress of the French revolution, and had industriously avoided every thing which might serve to countenance the proceedings even of the constituent assembly. On the contrary, we must do the French nation the justice to confess, that the unanimous voice of that people was clamorous from the first for peace and alliance with England. During the stay of general Dumourier at Brussels, he earnestly, through M. Noelle, then resident in London, solicited an alliance with Great Britain. On what grounds this proposal was rejected, we have as yet no competent information—But whatever was the motive, it can never be sufficiently lamented, by the friends of liberty and humanity, that so noble an effort to prevent the effusion of human blood, and to insure the peace of Europe, and the liberty and happiness of France, proved abortive. Had the negociation of Dumourier been attended with success, the amiable and unfortunate Louis would probably have now been alive, and the remains of his family released from that state of humiliation and captivity in which they support a miserable existence. Instead of being involved in a war (to say the least of it, unproductive of any good, with no determinate object for the interest of the nation) Great Britain would have continued to enjoy her commerce and prosperity uninterrupted; would have been in reality the arbiters of Europe; a situation which will now be necessarily but unworthily occupied by Russia, whose wary and cautious conduct in the war evinces unequivocally a design

sign of profiting by the distresses of those powers who are more forward in the crusade.

Such were, as we think, the injudicious politics of the British ministry; and the absurd conduct of the French convention unhappily accelerated the commencement of hostilities. No sooner had Antwerp yielded to the arms of France, than to conciliate the Belgians the opening of the Scheldt was projected and decreed by the convention; and this measure was immediately converted into a cause of alarm, as a violent infringement of the treaty of Munster in 1648*. The decree of the 16th of November was also complained of, though certainly no intention was indicated by France of invading the territories of Great Britain. A series of little affronts upon the French nation was practised by the English ministry. A bill for forcibly transporting aliens out of the kingdom was introduced into parliament. The ports of Great Britain were shut against the exportation of corn to France, while it was permitted to her enemies. In the end, an insult perhaps unnecessary was offered to the ambassador of the republic, by ordering him, under the authority of the alien-bill, at a short

* In the third volume, p. 539, of the *Political State of Europe*, the following fact is produced with a view probably of demonstrating the inconsistency of the British ministry in this instance. As impartial historians, it is our business to conceal nothing that falls within our notice, and we therefore give it exactly in the words of the compiler of that publication:

“ A REMARKABLE FACT, from the *Mémoires dienende tot Opheldering*: or, *Memoirs relative to the War between England and Holland*: by the Hon. J. Rendorp, L. L. D. Burgomaster of Amsterdam. Just published.

“ It appears that Sir Joseph Yorke, when he left the Hague, went to Antwerp, and instigated the inhabitants of that city to petition the emperor to insist on the free navigation of the Scheldt.

“ The people of England, will, perhaps, think it somewhat extraordinary that a British minister should excite the Antwerpens to obtain that as a *natural right*, (for such he must doubtless have represented it) the bare apprehension of which has been lately urged as a sufficient reason for involving the nation in extraordinary expences, and bringing upon it all the *calamities of war*.”

short notice, out of the kingdom; and to complete the affront, the notice was published in the gazette*.

Good policy in the French council should still have disregarded these affronts, and they should, as well as in the case of Austria, have compelled their opponents to appear altogether in the character of the first aggressors. But this suited not the impetuous disposition and the shallow views of these unfledged statesmen. Intoxicated with their successes in the Netherlands, deceived probably with respect to the state of parties in England, and inflamed with pride and resentment, on the 1st of February, upon the motion of Brissot, the national convention decreed, among other articles, "That George, king of England, had never ceased since the revolution of the 10th of August, 1792, from giving to the French nation proofs of his enmity, and of his attachment to the concert of crowned heads; and that he had drawn into the same league the stadtholder of the United Provinces: that, contrary to the first article of the treaty of 1783, the English ministry had granted protection and succour to the emigrants and others, who have openly appeared in arms against France: that on the news of the execution of Louis Capet, they were led to commit an outrage against the French republic, by ordering the ambassador of France to quit Great-Britain: that the English have stopped divers boats and vessels laden with corn for France, whilst at the same time, contrary to the treaty of 1786, they continue the exportation of it to other foreign countries: that in order to thwart

* This last measure will probably be long regretted by Englishmen, if there is any truth in the report, that such was the reluctance of the French nation to break with Great-Britain, that, while it was in agitation, M. Maret, private secretary to the French minister, arrived in England with full powers to make every concession that might appear reasonable, and even to cede to Britain some of the most valuable colonies of France, should the latter power be disposed to form a treaty of peace and alliance. Unfortunately M. Maret arrived just at the moment of M. Chauvelin's dismissal: and, judging it neither safe nor honourable to remain, immediately returned. Overtures of peace have since been made by the French, but were not attended to by the British ministry.

thwart more efficaciously the commercial transactions of the republic with England, they have by an act of parliament prohibited the circulation of assignats. The convention therefore *declare*, that, in consequence of these acts of hostility and aggression, the French republic is at war with the king of England and the stadtholder of the United Provinces."

In consequence of these measures, general Dumourier proceeded with a large body of troops to invade Holland, exhorting the Batavians in a violent manifesto to reject the tyrannic aristocracy of the stadtholder and his party, and to become a free republic. The states-general of Holland issued a counter declaration, in which they combated that of the French commander, and pointed out the fallacy of his assertions and the danger of his designs. The Dutch every where made the most vigorous preparations for defending themselves, and the English cabinet seconded their efforts by an immediate embarkation of troops, to the command of which the duke of York was appointed.

While these transactions were in agitation, the constitutional committee were assiduously employed in framing the plan of a new constitution, for which the nation became every day more clamorous. The constitution was indeed presented to the convention on the 15th of February by M. Condorcet its reputed author; it was however never confirmed, and is deservedly in our opinion, committed to oblivion. On the 7th of March, as if the nation was not already sufficiently embarrassed, the convention added one more enemy to the combination against them, by declaring war against the king of Spain.

The subjugation of Holland was the first project of general Doumourier; and when the ease with which he effected the conquest of the Netherlands, and the courage and ability displayed by him and his army at the famous battle of Gemappe, were considered, the aristocracy of almost every nation trembled. He justly supposed, that the di-

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visions which the usurpations of power had created in Holland would greatly facilitate his progress; and the easy surrender of Breda and Gertruydenberg encouraged him to boast that he would terminate the contest by a speedy approach to Amsterdam. A train of circumstances, however, soon interrupted the victorious career of Dumourier, and evinced to mankind the uncertainty of military success.

General Miranda, who had besieged the city of Maestricht with great force and vigour, and summoned the governor to surrender, was attacked by prince Frederic of Brunswick, and defeated with considerable loss. The commissioners of Belgium informed the convention, in a letter from Liege, dated March the 3d, that their cantonments on the river Roer, above Aix-la-Chapelle, had been forced by the enemy, and that general Valence had evacuated that city. The Austrians after this divided themselves into three columns, two of which marched towards Maestricht, and the siege of that place was immediately raised. The third pursued the advanced guard of the republic, and the absence of several commanding officers was supposed to have greatly facilitated the success of the Prussians in these rencounters, which may be justly considered as the commencement of a new series of misfortunes to France. Such was the consternation which the successes of the enemy occasioned, that general Valence himself informed the commissioners, that if Dumourier did not arrive immediately, he could not answer for the consequences; that the Prussians who passed the Roer had defeated him and relieved Maestricht; that they amounted to near thirty thousand men, a considerable part of which were cavalry, in which his army was remarkably deficient.

Before we review the reverse of fortune which Dumourier experienced in the Netherlands, it may be proper to advert to the bombardment of Cagliari, the capital of Sardinia. The ships under the command of admiral Truguet began to fire upon the town the twenty-fourth of January; but as all the

the transports with the land forces were not arrived, he ordered the firing to cease on the twenty-ninth. The volunteers, however, being impatient to land, the admiral, after using every argument to convince them how dangerous it must be to make an attempt without a sufficient force, at length consented, and gave orders for disembarkation on the 14th of February. Four ships and two bomb-ketches were posted before the town, and nearly the same force was placed between the town and a small mountain defended by batteries: another came to anchor before the town to batter it, and three ships and three frigates were employed in covering the landing of the troops. Of all these ships the Themistocles alone did execution; but she was set on fire by a red hot ball, and the captain was wounded in the leg, and died four days after. In the night the Themistocles was obliged to retire. The Patriot, which kept up a continual fire for three days and three nights, expended all her ammunition, and had eight men wounded, some of them in a dangerous manner. The Juno frigate had seven wounded.

The descent was effected under the command of general Casa-Bianca, with fifteen hundred troops of the line, and three thousand national volunteers; another descent was to be made at some distance, and a certain signal was agreed upon. The same signal was observed in the island, and the troops heard the following words pronounced through a speaking trumpet:—*Citizens, come on shore; we have put to flight the enemy.* The troops, however, suspected the delusion, especially as they could observe with their glasses that the invitation came from persons in the Sardinian uniform. The second descent therefore was countermanded. Casa-Bianca, however, formed a camp at the distance of half a league from the town, with fifteen pieces of cannon and some mortars; but the troops were seized with an instantaneous panic, they mistook the word of command, and the patrols fired upon each other; the soldiers imagined

gined themselves too weak in number, and requested to be re-embarked, and some of them without orders began to retire towards the shore. In this disagreeable situation the general was compelled to re-embark his troops, and it was with great difficulty that he was able to save his cannon. When the troops returned on board, Truguet immediately set sail. The Leopard, a ship of the line, ran on shore, but the crew were saved. A tartan, which ran on shore also, was burnt by the Sardinians.

This failure of the attack upon Sardinia was a trivial misfortune in comparison with the hasty retreat and final defection of Dumourier in the Netherlands. Soon after that general quitted Holland, and assumed in person the command of the disconcerted armies of Valence and Miranda, the forces of the prince of Cobourg and general Clairfait attacked him with a vigour that astonished him. who had but a few months before driven the same troops out of France, and through the Netherlands into Germany. He saw with mortification and dismay the laurels of Gemappe wither on the plains of Tirlemont.

On the 14th of March, the Imperialists advanced from Tongres towards Tirlemont, by St. Tron, and were attacked by general Dumourier successively on the 15th and the following days. The first attempts were attended with success. The Austrian advanced posts were obliged to retire to St. Tron through Tirlemont, which they had already passed. On the 18th a general engagement took place, the French army being covered by Dormael, and on the right by Landen. The action continued with great obstinacy on both sides, from seven o'clock in the morning till five in the evening, when the French were obliged to fall back, and the Austrian cavalry coming up, put them entirely to flight. The loss in each army was great. The French displayed considerable courage and address, but were overpowered by the superior numbers, and, perhaps, by the more regular discipline of their enemies. Dumourier himself, in a letter to general

Duval, says of this battle, that he attacked the enemy in the famous plain of Newinghen, and fought the whole day with his right wing and centre. The left wing not only fought ill, but abandoned him and fled beyond Tirlemont. He fortunately withdrew the right wing and the centre, skirmishing from the 19th to the 20th; and in the night he took a position on the heights of Cumpitch.

Dumourier addressed another letter to Bournonville, dated the 28th of March, in which he gave an account of the retreat of a part of the army under generals Neuilly and Ferrand, who, by the desertion of a great number of volunteers, were obliged to evacuate the city of Mons during the night. General Marasse, military commander of Antwerp, capitulated, and by that method, though not the most honourable, yet indispensably necessary, saved a body of ten thousand men. He added, that colonels St. Clair and Theuvenot were attacked without means of defence; that the military convoys were detained at Bruges; that he had dispatched some troops in order to liberate those convoys; and that he had sent forces to garrison St. Omer, Cambrai, and all the places on the line from Dunkirk to Givet. At this period Dumourier described the army as in a state of the utmost disorder, and as not having provisions for more than ten days. He said that the pretended succours of men from the departments of the north consisted only of old men and boys, who, so far from being useful, served only to consume the provisions and increase the confusion. He declared, that if order and discipline were not restored, that if fifty authorities, each more absurd than the other, continued to direct all political and military operations, France would be lost: and he added, that with a small number of brave men he would bury himself under the ruins of his country. He affirmed, that it was impossible for him to stop the progress of the enemy, who, without amusing themselves with sieges, might, with an army of twenty thousand cavalry, lay waste

waste and reduce to ashes all that part of the country which lies in the vicinity of the metropolis. The French general concluded this melancholy representation with bestowing eulogiums on the clemency and moderation of the Austrians, who, he observed, were entitled to the more praise, as from the examples of cruelty and outrage which the French had exhibited, a very different conduct on their part might have been expected. "I have always affirmed," says he, "and I repeat, that a *republic* can only be founded on virtue, and that *freedom* can be maintained only by order and wisdom."

Such is the outline of the proceedings which preceded the final defection of that celebrated general from the republicans of France, whose conduct he seems rather to have disapproved than their cause. His great and ambitious mind was affected even to desperation, when he had lost the alluring epithet of *deliverer of nations*, by the rashness of the convention and the irregularity of mobs; and it will perhaps long remain a doubt with speculative men, whether Dumourier would not have continued faithful and victorious, if France had seconded his efforts with wisdom and liberality, immediately after the retreat of the duke of Brunswick.

The frequent reproachful addresses to the convention from the general, were at length construed by them into insult and treason. He had been too much accustomed to the stratagems of war and the finesse of political transactions, not to be previously informed of the design of the convention to order him a prisoner to their bar. When the commissioners of the northern army therefore came to Tournay with an evident design of sounding his intentions, they found him with madame Sillery, young Egalité and Valence, furrounded with deputations from the district of Cambray. The interview was violent. Dumourier expressed himself in terms of invective against the Jacobins. "They will ruin France," said he; "but I will save it, though they should call me a Cæsar, a Cromwell,

Cromwell, or a Monk." The commissioners carried the conversation no farther. They departed, and returned next day, determined to dissemble, in order the better to discover the extent of his views. The general then became more explicit; he said that the convention were a herd of ruffians, whom he held in abhorrence—that the volunteers were paltrons; but that all their efforts would be vain. "As for the rest," added he, "their still remains a party. If the queen and her children are threatened, I will march to Paris—it is my fixed intention—and the convention will not exist three weeks longer." The commissioners asked him by what means he would replace the convention? His answer was, "The means are already formed." They asked him whether he did not wish to have the last constitution? He replied that it was a foolish one; he expected a better from Condorcet: the first constitution, with all its imperfections, was preferable. When they asked him whether he wished to have a king, he replied—"We must have one." He also told them that he was employed to make peace for France; that he had already entered into a negociation with the prince of Cobourg for an exchange of prisoners, and for the purpose of withdrawing from Holland those eighteen battalions which were on the point of being cut off. When they informed him that those negotiations with Cobourg, and the peace which he wished to procure for France, would not change republicans into royalists, he repeated the assertion that he would be in Paris in three weeks; and observed, that since the battle of Gemappe he had wept over his success in so bad a cause. Dubuiffon then proposed to communicate to him a plan of a counter-revolution: but he said that his own was better.

The attempt to arrest an able general at the head of his army, did not, it must be confessed, argue a superior degree of wisdom either in the convention or its agents. As soon as the special commissioners therefore arrived from Paris for that purpose, and announced

ced to the general their intention, he smiled, and assured them "that he valued his head too much to submit it to an arbitrary tribunal:" and immediately giving the signal for a body of soldiers who were in waiting, he ordered the minister of war Bournonville (who was sent to supersede him), and the commissioners immediately to be conveyed to the Austrian head quarters as at Mons, hostages for the safety of the royal family.

Dumourier, however, notwithstanding his splendid talents, appears to have been grossly mistaken with regard to the disposition of his army. "They were ready to resent to a man the affront which was so imprudently offered to their general, in ordering him to appear as a criminal at Paris; but, when he came to propose to them the restoration of royalty in the person of the prince, and to turn their arms against their country, the prejudices or the patriotism of Frenchmen assumed their wonted influence, and they considered it as their duty to disobey. The general had scarcely advanced as far as Cambray before he found his army gradually deserting. The artillery was the first corps that forsook him; and they were almost immediately followed by the national guards. M. Dumourier then harangued the troops of the line; but their reply was, "that though they loved him as a man, and venerated him as a general, they could not fight against their country."

Thus defeated in his plan of a counter-revolution, and finding that no dependence was to be placed upon the majority of the army, general Dumourier, with two regiments of horse, and accompanied by young Egalité and some other officers, determined to make his escape to the enemy at Mons; where, after a dangerous pursuit by a part of the army which he lately commanded, and being shot at several times, he at length arrived safe, at the head of that small party which still retained their fidelity to their fallen commander.

The conduct of general Dumourier has afforded room for many conjectures, and has excited a variety of
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of suspicions. The democratic party do not scruple to assert, that it was long his intention to betray his country, and that he was actually bribed by the Imperialists. We must confess that these conjectures appear scarcely to be warranted by competent evidence. No traitor would have fought as Dumourier did on the 18th; and had it not been for the imprudent and absurd proceedings of the convention in denouncing him as an enemy to his country, we think there is at least a probability that he would still have remained faithful to its cause. The assertions of those who think differently are however strong; and it is not impossible that both motives might have concurred to detach him from the cause of the republic; it is not impossible, that, finding a strong and increasing party against him in Paris, he might be disposed to listen to the advances of the combined powers, and might in these circumstances even accept the wages of corruption.

We should have remarked, that general Dumourier had, previous to his intended march to Paris, established an armistice with the prince de Cobourg; and his highness had issued a most liberal proclamation, which accompanied the address of M. Dumourier, and which assured the French nation, that it was not his intention to interfere at all in the internal government of France, and that no part of his army should even enter the frontier, unless the general should demand a small body to act under him to support his motions, and to co-operate as friends and brothers in arms.

It is much to be regretted, that this liberal and conciliatory address should have been revoked by the congress of general officers, which was held at Antwerp on the 8th of April. The resolution of that congress "to commence a plan of active operations against France" is still more deeply to be regretted. The temper manifested by the troops of Dumourier, their obstinate adherence to the republic, should have damped the hopes of those who wish
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at this crisis to force a monarchy upon the French nation. A monarchy we believe they would shortly have, if left themselves; for what is termed *pure democracy* is no other than a state of anarchy, and that cannot long endure. It is the odium which the combined powers first excited against monarchy by the league of Pilnitz, and their hostile invasion, that keeps the French united; and, conducted on the present plan, we can see no probable issue of the war, but an immense profusion of blood and treasure, and the confederated powers reduced to a similar state of bankruptcy with France itself, in attempting to subdue it.

Amidst this accumulation of external misfortunes, the country of France was at this period internally agitated by the most formidable insurrections in different parts. A considerable body of royalists assembled on the bank of the Loire, and threatened the reduction of Nantz. In the department of La Vendée, they assumed the denomination of the Christian Army, and were commanded by a person of some note, of the name of Joly. Strong suspicions have been entertained, that the insurgents were secretly assisted by foreign powers.

On the 2d of April, a member of the national convention enumerated several causes of suspicion against the executive council, and cited distinct charges against the minister Bournonville. In the same sitting the commissioners of the convention at Rochelle announced, that the people of Nantz had made a successful sally against the revolted, had killed twelve hundred on the spot, and captured an equal number.

On the same day the popular society of Toulon denounced general Paoli as a supporter of despotism. They alleged that the general, in concert with the administrators of the department, had inflicted every kind of hardship upon the patriots, and at the same time favoured the emigrants and the refractory priests. They demanded that his head should fall under the avenging sword of the law. The convention decreed, that general Paoli and the procureur general syndic of the

the department of Corsica should be ordered to the bar, to give an account of their conduct.

On the following day the assembly received a letter from general Biron, stating, that though the snow lay deep on the ground, the enemy had attacked the camp of Braons on the 28th of March. They were vigorously repulsed; and he added, that the loss must have been considerable, if he might judge from the quantity of blood and of fusils left in the field.

It was the 4th of April before the national convention received the intelligence, that the commissioners whom they had sent to seize Dumourier, and to conduct him a prisoner to Paris had themselves been arrested by that general and sent to the Austrians. On the receipt of this information, the convention decreed a large reward for bringing Dumourier to Paris dead or alive. They took the speediest measures for securing the peace of Paris, and for defending the frontiers.

The consternation which the defection of Dumourier had created, was in some measure relieved by letters of the 5th of April, from the commissioners of the northern army to the convention, informing them that their country was saved, that the camp of Maulde was disbanded, and that all the troops had forsaken Dumourier.

The commissioners added, that relying on the patriotism and activity of general Dampierre, they had appointed him provisionally commander in chief. Dumourier passed through the camp of the army of the Ardennes, consisting of twenty battalions, troops of the line, and volunteers, with a park of artillery, which he endeavoured to seduce, but failed in his attempt; and they universally came over to the interest of the convention after having been exhorted by Becker, aide-du-camp to general Dampierre, to beware of the delusions of their former commander, who only told them they should soon have a king and laws, the better to effect his own ambitious projects.

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Our readers will scarcely regret the misfortunes and abasement of the notorious duke of Orleans, better known at present by the prostituted name of Philip Egalité. A decree having passed in the convention for the banishment of all the Bourbons, this shameless monster sent a letter to the president desiring to know whether he, as a representative of the people, could be included in the decree; when such was the indignation even of this factious assembly, that the affirmative resounded from every part of the hall.

In a dispatch dated April the 10th, the commissioners at Valenciennes informed the convention that the enemy were preparing apparently for the attack of Condé, but that the soldiers who composed the garrison of that place were determined to defend themselves like true republicans—that a spirit of order began to be re-established among the troops, and that they hoped, when the army was convinced respecting the traitorous designs of Dumourier, that their errors would be changed into indignation, and their defeats into victories.

In the mean time the conflict of parties which was shortly to break out into open outrage, began to agitate the convention, and the violence or the crimes of the notorious Marat at length produced his accusation and imprisonment. He, as president of the Jacobins of Paris, had signed an address, invoking all the popular societies to exert themselves for the expulsion of those “unfaithful members of the convention who betrayed their trust, and who did not vote for the death of a tyrant.” At ten in the evening, on the 13th of April, the appeal nominal on the decree against this insolent assassin commenced, and after a tumultuous sitting of the whole night, the result was announced at seven o'clock in the morning: out of three hundred and thirty-six votes, two hundred and thirty-two were for the decree of accusation. In consequence, the decree was pronounced against Marat, and he was committed to the

Abbaye prison. After so gross an insult on the principles of justice, and on the peace and liberty of the representative body, it is surprising that a jury could be found abandoned enough to acquit so notorious a delinquent; but he was too great a favourite with the populace to fall by a legal decision in a city where the multitude are sovereigns. He was acquitted by the tribunal; and his return to the convention was a triumphal entry, in which that assembly was disgraced in the same manner as their predecessors on the infamous 20th of June.

Upon the news of the defection of Dumourier, general Kellermann, who commanded the army of the Alps, assembled his troops, and, in the presence of the constituted authorities, addressed them upon that subject. The soldiers universally testified their adherence to the principles of the revolution, and answered the address of their general by swearing by their arms that they would support the republic and liberty.

While these affairs were in agitation, the national convention received a letter from Dampierre, general of all the forces at Valenciennes, dated the 13th of April; in which he says, "The enemy attacked our advanced posts at this place in six different points; they were however repulsed with considerable loss. In the advanced guard, which I commanded, we had much the advantage. I have resumed the camp of Famars. I cannot bestow too high praises on the courage and ardour of the soldiers. I can assure you that in a little time the army will recover that superiority which it lost only by the treachery of those who commanded it."

Two days after this, the minister at war received another letter from the same general, in which he informed him, "that the advanced guard of the French army behaved with the same bravery as the day before, and that they had repulsed the Austrians, who attacked them very briskly."

One of the general's aids-du-camp confirmed by his personal testimony the bravery of the troops, and observed, that on the 14th they yielded to numbers, but on the 15th they were victorious. He added, that the prince de Cobourg and his officers, by their speeches, letters and actions appeared desirous of peace; and intimated further to the convention, that a misunderstanding prevailed among the combined powers.

Such reports are common in the varying circuit of political affairs. Too many interests, however, conspired to render such an event probable. The Austrians are fighting their own battles at a more easy expence than if they were left alone: the king of Prussia, in the easy and negligent manner in which he conducts the war, is only amusing a part of his numerous armies; while at the same time, by the continuance of hostilities on the side of France, the eyes of Europe are diverted from his depredations in Poland. The British ministry know, that on the continuance of the war they must depend for remaining in office, as war and peace are seldom made in this country by the same administrations: and the empress of Russia, who is really the soul of the whole confederacy, is enjoying in secret the distresses of other powers; who are weakening and exhausting themselves, while she is gaining immense accessions of territory, and contributes neither men nor money to a war in which she invited all Europe to unite.

C H A P. XI.

Re-organization of the French army—Action near St. Amand—Death of general Dampierre—Rights of man—Revolution of the 31st of May—New constitution—Critique upon it—Spirited attack of Custine on the Prussians

Prussians—French dislodged from Famars—Action near Arlon—Siege and capture of Mentz—Surrender of Condé and Valenciennes—French dislodged from Cæsar's camp—Siege of Dunkirk—Defeat of the English—Attack on the camp at Maubeuge—Defeat of the combined armies—Successes of the French against the rebels in La Vendée—Disaffection of the southern provinces—Revolt of Lyons, Marseilles, and Toulon—Submission of the Marseillois—Surrender of Toulon to the English—Reduction of Lyons—Assassination of Marat—Removal of the queen to the Conciergerie—Trial and execution of general Custine—Trial and execution of the queen—New calendar—Decree against foreigners—Execution of the Gironde party—Reflexions on the present state of France.

THE defection of general Dumourier disappointed, in its consequences, the expectations of Europe. The least result that could be apprehended from so important an event was the entire dissolution of the northern army; but even this effect did not ensue, and in less than a month general Dampierre was enabled to restore to order and discipline the disorganized troops, and to lead them to action, if not to victory.

In a well-contested battle, on the 8th of May, near St. Amand, between the combined armies and the French, Dampierre was mortally wounded, and soon after died. His laurels had not arrived at a sufficient maturity to be assailed by the blasts of envy or of faction, but accompanied him in their full bloom to his grave. The effusion of human blood was the principal event of this action; the Austrians are said to have lost two thousand men, the French nearly the same number, but the loss of the English is yet unknown.

General Custine, commander of the armies of the Rhine and the Moselle, informed the convention about this time, that he had been grossly insulted by three of their commissioners, and complained that he was accused respecting a letter which he had written

to the duke of Brunswick. In what manner the general was satisfied, we are not informed; but that he was, is evident from his acceptance of the command of the armies of the north, soon after their retreat from the camp of Famars. The sentiment, however, which he appears to have excited on this occasion proved afterwards fatal to this able and ill-treated officer.

The national convention, on the 10th of May, took possession of their new hall of assembly in the palace of the Tuilleries, and on that day they laid the first stone of the new edifice of the constitution: the transactions of this day may perhaps explain to the thinking world, the temper and sentiments of France with respect to government. On the one hand it was proposed that a social compact should be decreed before the constitution. On the contrary, it was determined that a nation which had proclaimed the rights of man could have no other social compact than a constitution: the leaders of the Jacobin party contended, that modern legislators ought to act precisely contrary to former precedent; hitherto the art of government had been the art of pillaging, and of subjecting the many for the benefit of the few; and legislation had been the art of reducing these crimes into a system. They next observed, that politicians, hitherto less anxious to defend liberty than to modify tyranny, have thought but of two means to limit the power of the magistrate—one has been the equilibrium of power, the other the tribunitian authority. The equilibrium of power was termed a chimera; it was argued that we must suppose the absolute nullity and suspension of government, if the rival powers did not necessarily coalesce against the people; and that the influence of gold and the influence of the crown utterly destroyed this boasted balance. Such were the positions on which the republicans of France grounded the new fabric of their constitution, which we shall presently have occasion to review; but it is necessary previously to advert to the revolution, as it is termed, of the

31st of May, when the Gironde, or moderate party, was precipitated from power by the turbulent faction of Marat.

The Gironde in voting for the death of the king defeated, or at least delayed, the execution of that plot which had been formed by their adversaries for their destruction. But as the majority of that party had voted for a suspension of the punishment, this circumstance was artfully employed by the Jacobins in the hope of equally effecting their purposes; and they soon succeeded in rendering the Gironde completely odious to the populace at least of Paris.

From the moment in which Marat had been committed to the Abbaye, the deliberations of the legislature had been almost entirely consumed in mutual recriminations. The sitting of the 31st of May opened at half past six in the morning, and did not close till ten at night; and notwithstanding a most persuasive discourse from Vergniaux, followed by several conciliatory motions from Barrere, and in spite of the firmness displayed by several other members, Robespierre, Marat, and the deputies of the commune, were finally victorious. A petition was received from the constituted authorities in Paris, demanding "that the members of the commission of twelve, with others, to the number of twenty-two, who had been formerly marked out (among whom were Isnard, Guadet, Brissot, Vergniaux, Gensonné, Barbaroux, the minister Le Brun, and the ex-minister Roland), should be decreed in a state of accusation as enemies to their country." This petition was ordered to be printed. Languinais, and several others, proclaimed that their deliberations were not free; and the galleries in return openly menaced those who opposed themselves to what was called the wish of the city of Paris.

A majority of the convention had ordered the committee of twelve to be re-established. The deputies of Paris, in a lofty tone, demanded, that it should be again dissolved. They informed the convention, that the sections of Paris had established, on

the night preceding, a provisional revolutionary commune. A majority of the convention was disposed not to recognize the municipality thus established; but they at length were compelled not only to the recognition, but also to permit that the assembly, thus nominated, should grant forty sous a day to each of the sans-culottes of Paris who should execute its orders, until the general tranquillity should be restored. After this a general federation was decreed for the 10th of August. On the following day (1st of June) the faubourgs of St. Antoine and Marceau, with all the adherents of Marat and Robespierre, were again in motion. The drums beat to arms in every quarter; few persons knew what was transacting, but every man was at his post. At nine o'clock in the evening it was known that another deputation from the municipality was about to repair to the convention, who had adjourned their sittings at five o'clock to eight in the evening. M. Le Brun with M. and Madame Roland were put under arrest. Claviere, the late minister of the finances, concealed himself, but wrote to demand that he might be placed under the protection of the law.

On the 2d of June the convention decreed the arrest of all the members of the committee of twelve, Fonfrede and St. Martin excepted. On the preceding evening the alarm bells were rung. When the respective departments heard of the impeachment of their representatives, a considerable ferment took place, and several bodies of men threatened to march to Paris, to restore liberty to the insulted convention; but the apparent though fallacious moderation of the predominant party, and the vigour of their measures to repel the common enemy, served in most instances to appease the resentment of the provinces.

The members of the convention ordered under an arrest, issued an address to the French people, in which they develop the causes of the late commotions in the assembly and in Paris; and their account is as follows: "A law had been enacted which pre-

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scribed the formation of committees in the different sections of Paris, destined to watch over foreigners and suspicious people. This law was eluded. Instead of those committees, others were formed in the most illegal manner. These committees created a central committee, composed of one member from the committee of each section. This central committee, after some private deliberation, suspended the constituted authorities, and assumed the title of the revolutionary council of the department of Paris, and also invested itself with a dictatorial power. An extraordinary committee had been formed in the bosom of the convention, to denounce the illegal and arbitrary acts of the constituted authorities, and to cause all persons to be arrested who should be denounced as chiefs of conspiracies. On the 27th of May these revolutionary committees, with an armed force, demanded the suppression of the committee formed by the convention. This request was decreed, but on the next day it was deferred till the committee should have made their report. The revolutionary council of Paris refused to attend the report. On the 30th of May they intimated to the convention their order to suppress the extraordinary committee. Amidst armed petitioners, surrounded by cannon, under continual insults from the galleries, some members decreed the suppression of it. On the famous 31st of May the generale was again beaten, the tocsin sounded, and the alarm-guns fired. At these signals the citizens flew to arms, and were ordered to assemble round the convention. Some deputations demanded a decree of accusation against thirty-five members of the convention. The assembly referred this to the committee of public safety, enjoining them to deliver in their report within three days. On the 1st of June, at three in the afternoon, the revolutionary council of Paris marched at the head of an armed force to invest the national hall. At night they appeared at the bar, and demanded a decree of accusation against the denounced members. The convention

convention passed to the order of the day, and ordered the petitioners to exhibit the proofs of the crimes imputed to the accused members. On the 2d of June the revolutionary council demanded, for the last time, the decree of accusation against the obnoxious deputies. The assembly passed again to the order of the day. The petitioners now gave a signal to the spectators to leave the hall and rush to arms. About noon the generale was beaten, the tocsin sounded; more than a hundred cannon surrounded the national hall, and grates were formed to heat red-hot balls; cannon were pointed towards all the avenues; the gates were shut, and the sentries ordered to stop all the members of the convention. Many of the deputies were insulted by the satellites of Marat. The battalions, which several days before should have marched against the royalists, suddenly arrived, and seized on the inner posts of the hall. Assignats and wine were distributed among them. In short, the representatives were imprisoned in their own hall. To avert the rage of the people, it was ordered that the committee of public safety should make their report. Barrere mounted the tribune, and proposed, that the denounced members, against whom no proof of the imputed crimes had been produced, should be invited to suspend themselves from their functions. Some of them submitted to this measure. At length an end was put to the sitting, the president walked out of the hall at the head of the convention, and ordered the sentries to withdraw.

"The convention reached the middle of the court without meeting any resistance; but being arrived there, the commander of the armed force ordered them to return. The president told him, the convention was not to be dictated to; that it held its authority independent of any other power than the French people, and that they alone had a right to command it. The commander, Henriot, drew his sword, ranged his cavalry in order of battle, and ordered the cannoniers to point their cannon. His

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soldiers were ready to fire—The president turned back, the members followed him, and attempted every outlet in order to escape, but every avenue was closed or defended by cannon. At length the assembly, unable to retire, resumed their sitting; and some deputies decreed, that the obnoxious members should be put under arrest at their own houses. On the proposal of Marat, Couthon demanded that Valazé and Louvet should be added to that number: some members gave their consent, for the greater part of them did not take any share in those humiliating deliberations. After the decree was signed, a deputation made its appearance, to testify its approbation of the decree, and offered an equal number of citizens as hostages for the arrested members."

After these commotions had subsided, the first step of the triumphant party was to complete the constitution. The national convention, on the 23d of June, issued a declaration of the rights of man, as a preface to their new form of government, which is contained in thirty-five articles. It states, that the end of society is the general happiness: the rights of man are equal liberty, safety, and the protection of property—a free people know no other motive of preference in their election to offices than virtue and talents—the law is the protection of liberty, and justice its rule—all persons have a right to assemble peaceably for public worship, without any prohibition from particular sects.—The law does not acknowledge servitude or slavery; the contract between master and servant is only an engagement of attention and gratitude, between the man who labours and the man who employs him. Every one has a right to dispose of his property, revenues, labour, and industry, according to his pleasure. Society is obliged to provide for the subsistence of the unfortunate, either by procuring them work, or maintaining those who are unable to labour. The concluding article states, that when the government violates the rights of the people, insurrection becomes the

the duty of the people. A few days after the publication of this declaration, the assembly announced the completion of the new constitution of France, which had been discussed article by article, and passed as the constitutional act within the space of a fortnight. It is introduced by the following sentence—"The French republic honours loyalty, courage, age, filial piety, and misfortune. It puts the deposit of its constitution under the guard of all the virtues." It consists of one hundred and twenty-four articles, arranged under general heads, of which the following are the most important:

The rights of a citizen are acquired, as to natives, by birth; foreigners acquire them by marrying a French woman, by being domiciliated in France for one year, by maintaining an aged person, or adopting a child.

The sovereignty of the people is next proclaimed.

The primary assemblies are composed of two hundred citizens at the least, and six hundred at the most, of those who have been inhabitants for six months in each canton. The elections are made by ballot or open vote, at the option of each voter. The suffrages upon laws are given by yes or no.

Of the national representation the population is the sole basis. There is one deputy for every forty thousand individuals. Each re-union of primary assemblies resulting from a population of from thirty-nine thousand to forty-one thousand souls, nominates directly one deputy. The French nation assembles every year on the first of May, for the election. The primary assemblies are formed upon extraordinary occasions, on the demand of a fifth of the citizens who have a right to vote in them; but the extraordinary assemblies only deliberate when more than the half of the citizens are present.

Electoral assemblies are formed by the citizens united in primary assemblies, who name one elector for every two hundred citizens, and in proportion.

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The legislative body holds its sessions for a year, and its first meeting is the first of July. Its members cannot be tried for the opinions they have delivered in the national assembly.

The functions of the legislative body are to propose laws and pass decrees, superintend public instruction, the national domain, and make the declarations of war; to provide for the defence of the territory, and ratify treaties.

The formation of the law is as follows: The plan of a law is preceded by a report; and the discussion of it cannot take place till fifteen days after the report is made. The plan is printed and sent to all the communes of the republic, under this title, "Law proposed." Forty days after, the law proposed is sent to the departments; if in more than half of the departments the tenth of the primary assemblies of each have not objected to it, the plan is accepted, and becomes a law.

The executive council is composed of twenty-four members, for which the electoral assembly of each department nominates one candidate. The legislative body choose the members of the council from the general list. One half of it is renewed by each legislature, in the last month of the session. It nominates, not of its own body, the agents in chief of the general administration of the republic. The legislative body determines the number and the functions of these agents.

Civil justice is administered by justices of the peace elected by the citizens, in circuits determined by the law. They conciliate and judge without expence. Their number and their competence are determinable by the legislature. The justices of the peace are elected every year.

In criminal cases no individual can be tried, but on an examination received by a jury, or decreed by the legislative body. The fact and the intention are declared by a jury of judgment. The punishment is

is applied by a criminal tribunal. The criminal judges are elected yearly by the electoral assemblies.

The general force of the republic is composed of the whole people. All the French are soldiers; they are all exercised in the use of arms. No armed body can deliberate. The public force, employed against enemies from without, acts under the orders of the executive council.

National conventions may be appointed on extraordinary occasions. If, in a majority of the departments, the tenth of the primary assemblies of each, regularly formed, demands the revision of the constitutional act, the legislative body is bound to convoke all the primary assemblies of the republic, to know if there be ground for a national convention. The national convention is formed in the same manner as the legislatures, and unites in itself their power.

Under the title of the correspondence of the French republic with foreign nations, we find the French people is the friend and natural ally of every free people. It does not interfere in the government of other nations. It does not suffer other nations to interfere in the government of its own. It gives an asylum to foreigners banished from their country for the cause of liberty. It does not make peace with an enemy that occupies its territory.

We may observe with Condorcet, that the first objection which naturally arises to this constitution, is the haste in which it has been formed. To this objection it is answered—that though the certainty that man can never reach entire perfection in any thing that he undertakes, implies that the more care and deliberation he employs, the more likely he is to approach this desired point; yet respecting this new constitution, it must be remembered, that for some time a series of writers, whose works all Europe has admired, had prepared the way for the legislators of France; and that for four years they have more or less directly discussed and laid the basis on which the constitution now submitted to the French was erected.

ed. In fine, if the work be good, every moment that was saved will entitle the legislators so much the more to the esteem of the public.

Some objections of more essential importance seem to strike us in an impartial review of this plan of government. Dismissing entirely for the present all predilection for monarchy, the point to be considered is, how far it is likely to answer the end of a republican system. In this view, we do not see upon what grounds the excellent mode of electing the legislature, through the medium of electoral assemblies, was laid aside. Mr. Burke's objections to this system were not likely to be recommended by his authority to the French; and surely no plan could be better devised for the prevention of intrigue, venality, confusion and tumult, than this arrangement. Again, as the legislative body is to be formed on the basis of population, it ought to be specified how and when that proportion should be ascertained; but we apprehend that a still simpler mode would have been, to proceed in the elections according to districts, taking for a guide, as to the number of representatives, the present population; and allowing future legislatures to alter the number upon certain principles, in proportion as the population might be found to vary.

The elections are too frequent; and, however visionary politicians may flatter themselves, nothing is more likely to establish an aristocratical interest in republican governments than frequent elections. The choice of representatives then, from the frequent occurrence of the circumstance, becomes a mere matter of course; election dwindles to a kind of *congé d'elire*, and the appointment in time becomes hereditary.

The referring of every law for confirmation to the primary assemblies is a preposterous measure. The tacit consent of the people is given to every law against which they do not expressly protest: for we think the people at large have a right in every government to protest against a law which they find grievous

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and oppressive. But to refer it directly to them for discussion is surely an absurdity.

The appointment of the executive power is the great difficulty in all democratical systems. The mode adopted by the French appears too complex—It has however one excellence, viz. that ministers cannot now, as by the first constitution, be removed on the harangue of some demagogue in the assembly; and they will therefore be able to act with more energy in their general departments. On the whole, however, notwithstanding these defects, and though we cannot be supposed to retain any very strong predilection for its authors, we think this constitution greatly preferable to that mass of metaphysical absurdities, which was presented to the convention by Condorcet, under the name of a constitution.

Having thus taken a short view of the civil commotions and the political regulations of France, we shall once more revert to its military operations. Though the present combination against this single state exceeds almost any thing recorded in the historic page, its progress has not been in proportion; and this circumstance considered, its success may be termed inconsiderable. Before the tedious sieges of Condé and Valenciennes took place, there were two actions which merit attention; one near Carlberg, the other near the village of Farmars.

In the beginning of May general Custine formed a design of cutting off from the enemy a body of seven or eight thousand men who had advanced as far as Rheinzabern; but, to succeed, it was necessary to amuse the Prussians in all parts, and to destroy the effect of the cavalry and infantry which they had near Landau. Had he retained the command of this army, he said he should have deferred that enterprize till the commencement of June, and then the army, better exercised, would have been in a condition to execute it completely; but reflecting that he was about to depart and take upon him the command of
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the army of the North, he determined to attempt an action to prevent the Prussians from taking advantage of their good position. He therefore sent orders to general Houchard to attack in the rear Limberg and Carlberg with the army of the Moselle, while Pulli should keep in check, and attack with the rest of the corps des Vasaiges, a Prussian corps who had advanced, and while general Sulek with nine battalions and some cavalry should advance towards Anweiler to molest the enemy. The same day the garrison of Landau had orders to occupy the banks of the canal of Anweiler, the vineyards and village of Nusderff, with several other posts, and to give the Prussians reason to apprehend that they would be attacked in the rear, in case they should attempt any movements. He also caused a report to be spread in the Prussian army, that the cavalry of the army of the Moselle had arrived, as well as part of the artillery of Strasbourg. In the mean time general Ferrier, who commanded forty battalions, was ordered only to shew himself to the enemy till he should hear that the engagement had commenced, and to attack them in the wood of Rheinzabern and the Austrians who were in it beyond the village. Notwithstanding these orders, Custine observes, that he did not see his troops appear till eleven o'clock, at which time general Diretmann had commanded a retreat, because the troops, being fatigued, could neither procure provisions nor drink. The general himself began to march at eight o'clock in the evening, with twenty-six battalions and eight regiments, to the heights near Insheim; but several unavoidable delays prevented him from arriving at that place till five in the morning. The advanced guard, under the command of general Landremont, kept back the enemy, and prevented them from quitting the forest of Germerheim. While general Landremont was thus engaging the Austrian army, and preventing them from advancing, the main army extended itself to the heights of Rulheim, and proceeded as far as that village. Custine charged two divisions of dragoons with
vigour,

vigour, who fled after sustaining considerable loss. Among the number of the dead were three officers. The general observed, that had it not been for the insatiation of a battalion, who mistook the French cavalry for that of the enemy, this day would have been glorious for the troops of the republic; they answered all attempts to rally them, only by discharges, and it was with great difficulty they could be prevailed upon to resume their ranks. The general was informed that this event was occasioned by the commander, who began the cry of treachery. He was arrested, and it was said he destroyed himself. "This day, which ought to have been so memorable," said Custine, "terminated by the taking of one piece of cannon, and a very great number of prisoners."

On the 23d of May, after a very severe conflict, in which the English troops, under the command of the duke of York, suffered considerably; the French were dislodged from their camp at Famars, which they had fortified with great labour and ability. By this event the garrisons of Condé and Valenciennes were left to their fate; but the loss of the combined army was said to have greatly exceeded that of the French.

On the 9th of June another action took place between the French troops under general Laage and the Austrians, near Arlon; and the latter were obliged to retreat to Luxembourg. The French troops on this occasion behaved with singular intrepidity, arranging themselves in order of battle before eight thousand men, posted in a series of entrenchments on an eminence, in the form of steps, marching and receiving their fire in this manner for more than a league, though the eminence was defended by thirty pieces of cannon. After the defeat of the Austrians, the French carried off eight thousand sacks of oats and a large quantity of flour.

In detailing the events which have latterly taken place in France and its dependencies, we are conscious that some apology is due for the cursory manner

in which we are forced to relate them. But it is impossible to obtain, while a transaction is recent, that full and certain information which is essential to history, and it is better briefly to state facts, than to mutilate them. We find these reflexions particularly applicable to the state of the French West Indies, from which the accounts have been so confused and imperfect, that it is impossible to collect from them any regular narrative. In St. Domingo the commissioners, Polverell and Santhonax, who were sent by the convention for the purpose of restoring tranquillity, have rather appeared in the character of apostles of discord than of peace: they seem to have united with the people of colour, and a series of assassinations, pillage, and arbitrary imprisonment have compelled the majority of the white colonists to take shelter in America, or in the English West India islands. It is with pain we add, that numbers of these wretched exiles, in flying from the tyranny of their own countrymen, have been intercepted and plundered by the British privateers. Polverell and Santhonax were impeached by a decree of the convention on the 16th of July.

The island of Tobago was taken by a British squadron under the command of sir John Laforey, about the beginning of April; and, encouraged by the disputes which existed between the royalists and republicans in Martinico, admiral Gardner attempted a descent upon that island also, and landed there with about three thousand men. The attempt however, proved fatal only to the royalists, as he found, on his arrival, the republican party too strong, and was obliged to re-embark his troops, even before he could convey away from certain destruction the whole of the devoted party who had probably invited him to undertake the expedition.

When we direct our attention to the tedious siege of Mentz, it is with difficulty we are able to find terms sufficiently military to mark the tardy progress of his Prussian majesty; he destroyed with great formality

mality several sham batteries which the French had erected, and found a grave for many of his soldiers, from the forties of that garrison.

About the 20th of June, however, he began to form a more serious siege, and our readers have already anticipated the event; as it is well known that the garrison capitulated on the 22d of July; rather leaving us cause to wonder at their long and effectual resistance, than at their final surrender. They had long been in want of every necessary, and particularly of medicines; and a considerable number had been forced to subsist entirely on horse-flesh, and the most unwholesome food.

The latter end of June and the beginning of July were chiefly distinguished in the north by some petty skirmishes between the two grand armies. The latter part of July was marked by some successes of more importance to the Austrians. The garrison of Condé, after sustaining a blockade of three months, surrendered on the 10th by capitulation to the prince of Cobourg; and Valenciennes on the 20th of the same month to the duke of York,* not without suspicions of treachery in both cases.

On the 8th of August the French were driven from the strong position which they had taken behind the Scheldt, and which was known by the name of Cæsar's camp: as the French did not make much resistance on this occasion; the loss on both sides was not considerable.

Encouraged by these successes, a large detachment from the combined army, under the command of the duke of York*, proceeded without loss of time
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* The following, which is offered as an explanation of the views of the commanders of the combined army, we copy verbatim from "The Political state of Europe," as we cannot vouch for its authenticity:

"After the surrender of Valenciennes, the British ministry ordered that part of the allied army, which was in the pay of Great-Britain, to attack the west side of French Flanders; in order to take the towns of Berg, Dunkirk, Graveline, and Calais, in the name of the king of Great-Britain. The conquests which the British troops had hitherto contributed

to a vigorous attack upon the port and town of Dunkirk. On the 22d of August the duke of York marched from Furnes to attack the French camp at Ghivelde,

contributed to achieve had been taken in the name of the emperor. The Dutch troops were ordered to co-operate with the British in the attack on French Flanders. This project of separating the armies was stated in some of the foreign prints to have been highly disapproved by the Austrian commanders; who strongly recommended a continuation of military operations upon the present plan, with the whole allied army. And more than one of the prints have gone so far as to give some particulars of this division of opinion: they are stated to be as follows:

"A short time after the capture of Valenciennes, a council of war was held upon the future operations of the war; and more particularly on the project proposed by the British cabinet of separating the armies. The Austrian commanders offered two plans against it, viz.

"The first was, to penetrate to Paris by the assistance of the rivers which fall into the Seine. These rivers, they said, would save an immense fatigue and expence of land carriage for their heavy artillery, baggage, and stores. They would have but twenty miles of land carriage in conducting their stores from the Scheldt to the Oise. The objection to it was, that this plan supposed a second campaign; and for its prosecution a number of floats must be provided; and therefore it was rejected. The convulsed state of Europe, the indisposition of every thinking man (out of the privileged orders) to the principle of the war, and the alarming consequences to every government in Europe, with which a dilatory and expensive war, for such an object, is pregnant, made it expedient rather to adopt any other course that gave the prospect of terminating the struggle in one year.

"However, notwithstanding these objections, urged probably more from motives of design to mislead and deceive, than from any impulse of sincerity, it is shrewdly suspected, that the dread of another campaign made no part of the true cause for rejecting the proposal.

"The next plan was that of the prince of Cobourg and general Clairfayt, and this had the concurrence of all the Austrian and Prussian generals. It was, that they should take instant advantage of the consternation into which the unexpected surrender of Valenciennes had thrown the people of France, and the disorder of all their armies by the denunciation of their generals. That forty or fifty thousand light troops should instantly penetrate to Paris, while a debarkation should be made on the coast of Brittany, and force a junction there with the malcontents. General Clairfayt pledged himself on the success of this project.

"Upon a moment's view of this plan, it will be perceptible to every one, that the debarkation spoken of must have consisted of British troops from British vessels. The British ministry unquestionably did not approve of it:—their plan was, to divide the armies—to take as many of the frontier garrisons as possible—that those on the coast should be taken in the name and retained by the arms of his Britannic majesty; and that in this position they should wait to take advantage of the disorders,

velde, which was abandoned on his approach, and he was almost immediately enabled to take the ground which it was his intention to occupy during the siege. On the 24th he attacked the out-posts of the French, who with some loss were driven into the town. In this action the famous Austrian general Dalton and some other officers of note were killed. The succeeding day the siege might be said regularly to commence. A considerable naval armament from Great Britain was to have co operated in the siege, but by some neglect admiral Macbride was not able to sail so early as was expected. In the mean time the hostile army was extremely harassed by the gun-boats of the French; a successful sortie was effected by the garrison on the 6th of September; and the French collecting in superior force, the siege was raised on the 7th, after several severe actions, in which the allied forces suffered very considerably. General Houchard was afterwards impeached by the convention for not having improved his success to the best advantage, as it is asserted that he had it in his power to capture almost the whole of the duke of York's army. The French, after this event, took a strong position in the neighbourhood of Maubeuge, where they were immediately blockaded by the whole united force of the allies collected under the prince of Cobourg. Upon the 15th and 16th of October, however, the prince was attacked by the troops of the republic under general Jourdain, who succeeded Houchard, with such vigour and effect, that he was compelled, after an immense loss, to abandon his position, and repass the Sambre. It was some time before the allied forces were able to stop the progress

orders, which, in the course of the winter, were expected to arise in a country, so hemmed in from without, and so convulsed within.

"This plan, therefore, as the general paymaster, Britain succeeded in imposing on the allies.

"In consequence of this plan, the duke of York with the British, the Hanoverians, the Dutch, some Hessians, and a body of the Austrians, separated from the main army, and began their march for Dunkirk."

progress of the French, and their generals even trembled for the fate of Ostend. A considerable armament from England, however, being at that time preparing for the West Indies, under sir Charles Grey, their destination was altered; and by arriving at the fortunate moment at Ostend, they probably prevented the Low Countries from once more becoming subject to France.

The forces of the republic were still more eminently successful in repelling the attempts of the rebels in the department of La Vendée. General Biron repulsed the army of the insurgents from Luçon on the 28th of June. But with that inexplicable impetuosity and rashness which characterizes all their proceedings, the general had scarcely announced his success before he was suspended from his command, and placed under arrest. General Biron was succeeded by general Beysser, and afterwards by Lechelle. It would be tedious to enter on a minute detail of this petty war; let it suffice to say, that the unfortunate insurgents made a most vigorous resistance to every effort of the convention till the middle of October, 1793, when they were completely routed. After being driven from La Vendée, they divided into three bodies. The first threw themselves into the island of Noirmontier, where they remain in a state of blockade. The second probably dispersed; and the third took the route of Anjou, Maine, and Britany, where they still carry on a desultory warfare.

The disaffection of the southern provinces which immediately followed the revolution as it is called, of the 31st of May was productive of perhaps more serious consequences to the new government. It is well known that the deputies and people of these provinces were among the foremost in the iniquitous transaction of dethroning their king on the execrable 10th of August, 1792. It is therefore something extraordinary that the same men should be among the first to rebel against the authority of the convention. The formidable union which took place under the name of
federate

federate republicanism, between the cities of Marseilles, Lyons and Toulon, in the course of the months of June and July, seemed to threaten almost the dissolution of the existing authorities. A considerable army was, however dispatched against Lyons, and that city closely besieged. The Marseillois in the mean time opened their gates on the approach of the republican army, and submitted; but the people of Toulon entered into a negociation with the English admiral, lord Hood, who was then cruising in the Mediterranean, and he took possession both of the town and of the shipping in the name of Louis XVII. and under the express and positive stipulation that he is to assist in restoring the constitution of 1789.

On the 8th of October the city of Lyons surrendered to general Doppet. The chiefs of the rebels had fled, but several of them were afterwards taken and executed. By a subsequent decree of the convention, the walls and public buildings of Lyons were ordered to be destroyed, and the name of the city itself to be changed to that of *Ville Affranchie*.

We have been led a little to transgress the chronological order of our narrative, to exhibit a connected detail of the external wars and the internal disturbances of this unhappy country. We should otherwise have remarked that the incendiary Marat did not long survive to enjoy his triumph in the convention. On the 13th of July he was assassinated in his own house by the hand of an enthusiastic female of the name of Charlotte Corde, a native of Caen, and who appeared to have some connexion with the deputies of the Gironde party.

The remains of this notorious anarchist were interred with great funeral pomp, attended by a part of the national convention and a vast multitude of citizens. As he is gone to be tried before an omnipotent tribunal, we must let his guilt pass with him to the silence of the grave. That Marat was an enthusiast, is beyond dispute; and whether he was any other than a pernicious madman still appears a matter of doubt; he

he must at least have been impelled by some other motive than avarice, since he is said to have died poor. This, it is true, affords no apology for the atrocities which he provoked or committed; there are but few, therefore, who will probably lament his death, except those who instigated, or at least profited by his crimes.

The death of this execrable incendiary did not restore the convention and the mob of Paris to reason and humanity. On the night of the 1st of August the unfortunate queen was forcibly separated from her family, conveyed from the Temple to the Conciergerie, one of the prisons destined for common malefactors; where her treatment was such as would disgrace a civilized people. She was confined in a narrow room, or rather vault, of eight feet square, and the couch on which degraded royalty was destined to repose was a hard bed of straw. The graces had all deserted her countenance, and the marks of premature old age seemed to proclaim that repeated sorrows would soon have terminated a life, which was unnecessarily devoted to the hand of the executioner.

If any act of phrensy could exceed the ill treatment of the queen (who, though her sufferings may have expiated her crimes, certainly cannot be considered as the friend of France,) it is the shocking ingratitude and cruelty which the ruling party immediately afterwards exercised to one of the most meritorious generals that ever the French republic could boast. The unfortunate Custine, after being committed a prisoner to the Abbey, was accused before the revolutionary tribunal of having maintained an improper correspondence with the Prussians while he commanded on the Rhine, and of having neglected various opportunities of throwing reinforcements into Valenciennes. We have already remarked that the French have no distinct notions of the administration of justice; they have no idea of the *nature of evidence*. To be suspected, is to be condemned. The unfortunate general, in the crisis of his adversity, lamented that he appeared forsaken

forfaken by every friend; and the remorseless populace of Paris accustomed to fights of horror, beheld the murder of their former defender with calm indifference, or with blind exultation.

The trial and condemnation of the queen immediately followed that of general Custine. The act of accusation consisted of several charges, the substance of which was—That she had contributed to the derangements of the national finances, by remitting from time to time considerable sums to her brother, the emperor Joseph—That since the revolution she had continued to hold a criminal correspondence with foreign powers—That in every instance she had directed her views to a counter-revolution, particularly in exciting the body guards and others of the military at Versailles on the 1st of October 1789—That in concert with Louis Capet she had distributed counter-revolutionary papers and writings; and even to favour their purposes, some in which she was personally defamed—That in the beginning of October 1789, by the agency of certain monopolists, she had created an artificial famine—That she was a principle agent and promoter of the flight of the royal family in June 1791—That she instituted private councils in the palace, at which the massacres, as they were termed, in the Champ de Mars, at Nancy, &c. were planned—That in consequence of these councils she had persuaded her husband to interpose his veto against the decrees concerning the emigrants and the refractory priests—That she influenced him to form a body guard composed of disaffected persons, and induced him to give employments to the refractory priests.

One of the most singular charges was, that in conjunction with a scandalous faction (that of the Gironde we conceive) she induced the king and the assembly to declare war against Austria, contrary to every principle of sound policy, and the public welfare.

The act proceeds to state, that she communicated to the enemy plans of the campaign, and other intelligence. That the affair of the 10th of August was the

consequence of a horrible conspiracy against the nation formed by her intrigues, and that, to promote her views, she kept the Swiss guards in a state of intoxication—That on that day she presented the king with a pistol, saying, “This is the moment to shew yourself;” and on his refusing, called him a coward—That she was also a principal agent in the internal war with which France has been distressed.

The last charge was the most infamous and incredible, viz. That, like Agrippina, she had held an incestuous commerce with her own son.

On the trial a number of witnesses were examined; but we must observe that few of the charges appeared to be substantiated. A maid-servant gave in evidence a conversation which she had formerly held with the duke of Coigny, in which he complained of the immense sums privately remitted by the queen to her brother during his war with the Turks; and some papers were referred to, from which it appeared that the queen had drawn for money on the treasury since the revolution.

The charge concerning her favouring the anti-patriotic sentiments of the body guards at Versailles on the 1st of October, was better supported, and we think, on the whole, was proved; as well as her activity in promoting the flight of the royal family to Varennes. The rest of the evidence on the latter subject concurred with the statement which is contained in our first volume.

It appeared also that she had frequently been consulted by the king upon political subjects; that she had recommended some persons to brevets in the gardes-du-corps: that she treated her son with regal respect was also proved. But the horrid charge of incest was made upon the authority merely of some indistinct communications from the boy Capet to the mayor of Paris.

The unfortunate victim was prejudged; and had the evidence been even more frivolous, it is probable she could not have escaped: after an hour's consultation,

consultation, therefore, the jury brought in their verdict—"guilty of all the charges."

The queen heard the sanguinary sentence with dignity and resignation; perhaps indeed it might be considered by her less as a punishment than as a release. On the 16th of October, at about eleven o'clock in the forenoon, she was conducted in a coach from the prison of the Conciergerie, to a scaffold prepared in the Place de la Revolution, where her unfortunate husband had previously suffered. Her behaviour at that awful moment was decent and composed. The minister of St. Landrey was appointed to discharge the office of a confessor; and whatever might have been the foibles which disgraced her early years, we have reason, on good authority, to believe that she died a real penitent; and, like her husband, found in the truths of religion a source of consolation of which the malice of her enemies was unable to deprive her, and which they themselves will probably want.

Amidst these serious and dreadful events, it is something curious to observe the national convention amusing themselves with the formation of a new calendar. The year is, according to this, divided into twelve months of thirty days each, with five intercalary days, which are dedicated to a national festivity, and called on that account *sans-cullottides*. Each month is divided into decades, and the day of rest is appointed for every tenth day instead of the seventh.

About the same period a decree was passed, ordering all foreigners born in those countries with which the republic was at war, under arrest, and their property to be in the custody of the public accountants till the end of the war.

We close our narrative with an article of intelligence which was only received as these papers were going to the press. On the 30th of October, twenty-two of the deputies of the Gironde party, who had been for some time in a state of arrest, were condemned and executed, on the sentence of the revolutionary

lutionary tribunal, for treasonous practices against the unity and indivisibility of the French republic. The names of the deputies who suffered on this occasion were Brissot, Vergniaud, Genfonné, Duprat, Valazé, Lehardi, Ducos, Boyer, Fonfrede, Boileau, Gardien, Duchatel, Sillery, Fauchet, Duperret, La-source, Carra, Beauvau, Mainville, Antiboul, Vigée, and Lacaze.

The reader will recognize among these names, several of those who were most active in dethroning the king, and establishing a republic. Valazé, who had prepared the charges against the king, stabbed himself as soon as the sentence was pronounced. Fauchet was one of the constitutional bishops; and La-source a protestant clergyman. As the particulars of their trials have not yet reached this country, it is impossible to pronounce upon the justice of their sentence, or to enter into any particulars concerning the melancholy subject.

In reviewing the progress of the French revolution, and the conduct of the principal actors in those extraordinary scenes, a variety of reflections occur, and in pursuing a few of them we may perhaps be permitted to indulge.

It has been generally remarked, that no revolution which had liberty for its foundation or its pretext was ever disgraced by so wanton an effusion of blood, by so many sanguinary executions, such inhuman massacres, so much rancour and persecution of every kind. To understand the nature and causes of these melancholy events, several considerations will demand our attention.

I. It is necessary to observe, that the revolution in France was at the first too suddenly effected. The change in the circumstances, habits, and opinions of the people was too violent, and they were too little prepared for the enjoyment of liberty. Had the court anticipated the assembling of the states-general by some salutary and useful reforms in favour of the people, they would not only have served to strengthen the

connexion

connexion between the king and his subjects, and more firmly to attach the latter; but such a conduct would have been a proper initiatory process, and would have prepared all ranks of people to act as rational agents in the cause of freedom. Had the king by his own authority, abolished the odious tyranny of lettres de cachet, the punishment of the rack, and every species of judicial cruelty, it would not only have endeared *him* to his subjects, but would have humanized *them*. Could he have ordered a revival of the judicial system, and, in particular, could he have established the trial by jury, it would have inured them to the practice of equity, and to the calm investigation of truth. If he had done in addition, what there is reason to believe he was not averse to, that is, if he had indulged the natural clemency of his temper in permitting a free toleration to religious opinions he would have attached the protestants, and would have greatly lessened the acuteness of party animosity—and if he had favoured, to a certain degree, the liberty of the press, the free discussion of controverted points might have been advantageous to the cause of truth and moderation; while, on the contrary, the people, having been wholly unaccustomed to the liberty of the press, were not on their guard against its licentiousness, and were constantly imposed upon, and the dupes of the infamous journalists and their employers.

When the states general assembled, the court party appeared to have no system, no settled plan of proceeding. They were undetermined what to retain or what to relinquish; whereas the plan of government ought to have been previously settled; every thing to be proposed to the states ought to have been well digested; and proper agents chosen to introduce each particular measure to the national assembly. On the contrary, nothing could be more absurd than the attempt, after the deputies of the nation were assembled in one common hall, and even while the metropolis was in a ferment, to restore or preserve the ancient regimen.

regimen. With this unfortunate outset the whole conduct of the king and of the court corresponded. The feast of the military at Versailles; the flight of the king; the obstinate exercise of his veto; all served to cast a suspicion on the designs of the court.

II. Long previous to the revolution, the French were the most profligate, corrupt and unprincipled people in Europe. All of the higher orders were dissipated, they were consequently all venal. The lower classes were hardened by ignorance, by oppression, by the frequent horrid executions of which they were witnesses, and by other severities. The venality and corruption of some, who from time to time affected to be the friends of the people, drew down a suspicion upon all of the higher orders*; and the ferocity of the multitude, and their ignorance, and consequent want of principle, plunged them into the most fatal and sanguinary excesses.

III. Connected with this circumstance, we have to deplore the irreligious principles which had unhappily made so fatal a progress in France. There is nothing but religion that can impart a uniformity to the moral character. Where expediency is the only rule of conduct, the human mind will naturally indulge in too great a latitude on some occasions, especially where the passions are strongly interested. This, perhaps, indeed, is the distinguishing circumstance which marks the two revolutions of America and of France. The Americans were possessed of a strong sense of religion; and consequently, though the instances of treachery which occurred among themselves were scarcely less numerous in proportion than those which happened among the French, the victims of popular fury were much fewer. They were under a necessity of defending themselves; but, independent of this circumstance, they could not forget that their religion taught them "to love their enemies:" but the majority

* Petion, Dumourier, and most of the party of the Gironde are strongly suspected of having greatly enriched themselves by the most palpable peculation.

majority of the French nation were either uninstructed in the truths of this religion, or had rejected its salutary restraints*.

IV. It has been already intimated, that the league of Pilnitz, and the infamous conduct of the combined powers towards the republic of Poland, excited at once the apprehensions and the resentment of the French. It was no difficult matter to persuade the multitude that the court was immediately connected with the invaders; and this opinion was unfortunately countenanced by the publications of the combined powers, and particularly by the imprudent manifesto of the duke of Brunswick. The repeated dismissal of the popular ministers, and the obstinacy of the king in other instances, confirmed the suspicion. Hence, and hence only, the republican faction were enabled to acquire so much credit with the people in the months of June, July, and August, 1792. The avowed hostility of this faction might have driven the court in its turn into hostile measures, without imputing actual treachery to Louis. For we must observe, that this is a matter still involved in impenetrable obscurity; and it is impossible to determine, from the state of the evidence, either the nature or the extent of the king's connexions with the counter-revolutionists

* After all, if we would trace calamity to its source, we must be forced to confess that the flimsy writings of that wretched caviller Voltaire have UNDONE FRANCE. We earnestly hope the example will operate as a caution to all other governments, and teach them to beware of permitting with impunity impious and licentious publications. They may rely upon it, there are no libels so dangerous to a state as those against God: We venerate, and ever shall venerate, the cause of religious toleration. Every sect which acknowledges a future state of rewards and punishments is innoxious, if not respectable. But if this great foundation of morality is removed, there can be no dependance on the principle or integrity of a people. Let the Horneys and the Priestleys freely indulge themselves in verbal contests concerning the disputed points of theology: but let every impious scoffer, who presumes to aim his destructive shafts at any of the great doctrines of religion, be *severely punished*, and his writings strictly prohibited. Till this is the case, no government can be safe, nor will it be possible to maintain order, or even common honesty, among men.

ists. Thus far is certain, that Paris was crowded with the ci-devant noblesse, and other disaffected persons, on the 10th of August. The fatal rupture, and the dreadful carnage of that bloody day, let loose at once all the dæmons of discord. Every bad passion was put in motion—revenge, party rage, the desire of plunder, all that is depraved and abominable in human nature, was predominant in the breasts of different individuals, and prepared the way for the still deeper horrors of the 2d and 3d of September, and for all the calamities which have since happened to the nation.

V. Another circumstance which we must remark, is, that the excessive population of France is greatly calculated to perpetuate violence and anarchy in that country. Independent of the frequent alarms of famine from this circumstance, it is impossible that there should not exist in every considerable city immense multitudes of indigent and desperate persons, who are always ready to promote every species of mischief and disorder, and who, when once excited, cannot easily be reduced to peace and subordination. This again constitutes another remarkable shade of difference between the American and the French revolutions. The American armies were composed in general of settled and industrious people, of farmers and mechanics, most of whom had families; they consequently embraced the first opportunity to return to their peaceable employments and habitations, to sit every man under his own vine and his own fig-tree; and they regarded the affairs of state no farther than as they served to secure them in the peaceable possession and enjoyment of their property. Every man at the conclusion of the war had something to do; every man had business of his own to attract his attention. Not so the rabble of Paris, of Lyons, of Marseilles—many of them have no regular employment, and the numbers of banditti are increased by the total stagnation of the commerce and manufactures of France. They can acquire more by plunder and confiscation than by
sober

sober industry; and thus it becomes at once their interest to be turbulent, unruly, sanguinary and capricious. The disorder and the violence are increased by the numbers; and the passions are inflamed in proportion to the multitudes which are collected together.

It was in vain then that the party of the Gironde after the 10th of August affected a tone of moderation; it was in vain, when they had obtained their wishes, that they exhorted the populace to return to order and obedience. They had excited the fatal concussion; they had taught the multitude to know their own strength; they had disturbed the general tranquillity, and absurdly flattered themselves that a spirit of insurrection would be as easily quelled as it was excited. Without wishing, therefore, to depreciate their slender claim to merit in attempting to save the life of the king, we cannot but regard this party as the immediate authors of all the calamities which have befallen their country since the overthrow of the monarchical constitution. The massacre of the 10th of August was scarcely less atrocious than that of the 2d of September; and when these men fell the victims of the very means which they had employed and were murdered in their turn by the very mob which they had formerly excited, though our religion teaches us to pity even the guilty, and to lament the shedding of human blood upon any occasion, yet it was impossible not to discern something of retributive justice in the dreadful event.

The Gironde had moreover something to charge themselves with for wantonly engaging their country in one vain and fruitless war after another: and on the whole, we think they have been a pernicious faction. They were, perhaps less sanguinary and cruel than their ferocious successors, but in point of real principle we see little room for preference.

VI. A most fatal means of promoting bad dispositions among the people has been the popular societies instituted throughout the kingdom, for debating

upon political subjects, and the Jacobins in particular. In the first dawn of French liberty such institutions might have their use; but they should even then have been restrained within moderate bounds, and as soon as possible dissolved. These have afforded a constant asylum to the profligate; and in these every absurdity, every measure of sedition and of cruelty in the national councils, have originated. But after the facts which are stated in the preceding pages, it is unnecessary to enlarge upon this topic.

Such appear to have been the principal causes which have operated to give to the French revolution that sanguinary and horrid character by which it has been too fatally distinguished; and which, as far as the circumstances may apply to other nations, may serve as a warning against hasty revolutions, and as a guide in the conducting of such plans of reformation as political exigencies may seem to warrant or require.

To speculate on the future fate of France would be a hazardous undertaking, even for the most fertile imagination, or the most acute discernment. Notwithstanding the difficulty and the danger, however, a few conjectures we will venture to submit to our readers, rather with a view to entertainment than use.

We look not for the subjugation of France by the present combination, since it has been the uniform assertion of those who are best acquainted with the resources and the temper of the nation, that, whatever the force of the external attack, she is *invincible*: and this sentiment derives some confirmation from the experience of two campaigns.

On the restoration of peace, from whatever cause that may be effected, we look for a train of events very different from what the aspect of affairs at present may seem to promise. The first circumstance which, in that case, we will venture to predict, is, that the present leaders will not long be able to retain their power. Whatever their abilities (and we must confess that they have displayed some energy, if not
ability

ability) they have not *character* enough to support their popularity long, even with a profligate and corrupted people.

That the experiment of establishing a republic will be continued for some time longer, we think is probable; but it will never be more than an experiment; and before many years the nation, wearied with faction and with contest, will certainly have recourse to some form of monarchy or aristocracy; and that period would be hastened, were any one man particularly distinguished by his talents above his competitors to arise. No such has yet appeared; but it is amidst the violence of political commotion that genius is called into action, and it would be contrary to all historical precedent if none was to present himself on this occasion.

The present legislators of France, we cannot possibly doubt, have it ultimately in view to abolish christianity—In this they will be disappointed. The people must have a religion; and as none so good as the christian can be offered them, some form of that religion will be the predominant faith of the French people. The most probable conjecture is, that the enthusiastic professors of some of the least moderate of the protestant sects will insinuate themselves among them, and effect a religious revolution not less stupendous than that which they have experienced in their civil state. This very circumstance may hasten the political crisis to which we alluded in the preceding paragraph. The imprudent measures of the convention, in unsettling the faith of the nation in the foolish expectation of establishing atheism, has just prepared the public mind for such a change; nor shall we be surprised to see, in the course of a few years, the disciples of Whitfield, of Wesley, or perhaps of Swedenborg, usurp that authority which is at present possessed by the atheistical chiefs of the convention.

With respect to the *war* in which this country is at present engaged with France, we are willing, in common candour, to acquit the British ministry of the

the atrocious charge of having at all entered into the views of the combined powers in the absurd project for a partition of France; and we believe the accusation to be a gross and unfounded calumny. This will not, we confess, apologize for the want of prudence in our ministry in departing from that system of strict neutrality which was so entirely essential to our prosperity. From this concession it will be evident, that we think our ministry was precipitate in hastening a rupture with France; and indeed we do not find the reasons for those measures which involved us in hostilities well founded. Two causes were assigned by the minister for breaking with the French nation; but these were surely quite inconsistent with each other. The first was the atrocity and villainy of their conduct; the second, the fear that their example might be followed in this country. Surely we are correct in saying these two reasons were perfectly inconsistent. The *more atrocious* the conduct of the French, the less the danger that any other nation should copy their example; and the truth is, that though every society is liable to be infested with a few enthusiasts and visionaries, the example of France has operated as a complete warning to Britain, and as a decisive antidote to the extension of democratic principles, which had perhaps been rather promoted by the successful example of America.

If it were permitted to scrutinize into the secrets of cabinets, perhaps we might find that the motive of the English ministry in provoking, and that of the French in declaring war, was on each side a vain-glorious and absurd hope of conquest. It is to be presumed, that both parties have learned a little wisdom from recent experience; and we should be happy to find that the result of that wisdom should be the re-establishment of peace. It is an insult upon common sense, to say there is no person with whom we can treat. No matter through what medium tranquillity is restored. Whoever is proclaimed by the public voice the agent of any people, with that person
(whatever

(whatever his moral character) it must be lawful to transact all necessary business.

We conclude therefore in earnestly recommending peace, by whatever means it may be achieved. Let us leave the French to answer for their own sins. Whatever may be *their* code of faith, it is ours to believe in a providential ruler, the avenger of injustice and of cruelty. A particular society does not trench on the divine prerogative, when it punishes individual crimes, committed in defiance of those laws which it has established for the security of its own members; but when one nation marches in warlike array to punish the sins of another nation, the attempt favours too much of Quixotism, and the only consequence is commonly the sacrifice of many innocent and meritorious lives.

Admitting the truth of all that has been alleged of the depravity of the French (and certainly we cannot be accused of any disposition to controvert it,) still the question will not easily be answered, "What interest can Great-Britain have in the contest? What ultimate advantage are *we* to derive from it?" If the French are, as they are represented, "a worthless, depraved, and incorrigible people," are the blood and treasure of Britain to be lavished, are her manufactures and commerce to be sacrificed, for the purpose of framing a government for a people, who cannot upon these principles be worthy of the slightest exertion? But, it will be said, "the whole nation is not to be blamed for the crimes of a faction; the majority may probably wish for a better arrangement." Leave then the majority to reform their own government. "But the emigrants at least are deserving persons, and ought to be restored to their rights and property."—Bestow upon the emigrants but one half of the waste lands, which it is reported are shortly to be sold, and present them with but one half of one year's military expenditure, and you will do them a much more essential kindness than by instantly restoring

ring them (were it even in your power) to their former situation.

It is the grossest of absurdities to suppose that French principles can ever make an extensive progress in this country, unless indeed the public distress should drive the people to desperation. We repeat it, the French have acted in such a manner, that the most despotic prince in Europe may slumber in security; since there is scarcely a people that would not be disposed to submit to the most oppressive mandates of authority, rather than *fraternize* with them, or imitate their dreadful example. In one word, it is not France for which we plead—we plead for ourselves. We plead for the distresses of the poor, for the embarrassments of the manufacturer, for the lives of those who are most dear to us, for that blood which is much too precious to be shed in this fruitless, this thankless quarrel.



APPENDIX.

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APPENDIX

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APPENDIX.

AN
AUTHENTIC COPY
OF THE
FRENCH CONSTITUTION,
AS
REVISED AND AMENDED
BY THE
NATIONAL ASSEMBLY,
AND PRESENTED TO THE KING ON THE THIRD OF
SEPTEMBER, 1791.

DECLARATION OF THE RIGHTS OF MAN, AND OF THE
CITIZENS.

THE Representatives of the French people, formed into a National Assembly, considering that ignorance, forgetfulness, or contempt of the Rights of Men, are the sole causes of public grievances, and of the corruption of government, have resolved to exhibit, in a solemn Declaration, the natural, unalienable, and sacred Rights of Man, in order that this Declaration, ever present to all the Members of the SOCIAL BODY, may incessantly remind them of their rights, and of their duties; to the end, that the acts of the legislative power, and those of the executive power, being able to be every moment compared with the end of all political institutions, may acquire the more respect; in order also, that the remonstrances of the citizens, founded henceforward on simple and incontestible principles, may ever tend to maintain the Constitution, and to promote the general good.

For this reason, the National Assembly recognizes, and declares in the presence, and under the auspices of the Supreme Being, the following Rights of Men, and of Citizens:

ARTICLE FIRST.

ALL men are born, and remain, free and equal in rights : social distinctions cannot be founded but on common utility.

II. The end of all political associations is the preservation of the natural and imprescriptible rights of man : these rights are liberty, property, security, and resistance against oppression.

III. The principle of *sovereignty* resides essentially in the nation : *no body of men, no individual*, can exercise any authority that does not emanate expressly from that source.

IV. *Liberty* consists in the power of doing every thing except that which is hurtful to another : hence, the exercise of the natural rights of every man, has no other bounds than those that are necessary to ensure to the other members of society the enjoyment of the same rights : those bounds to be determined by the law only.

V. The law has a right to forbid those actions alone, that are hurtful to society, Whatever is not forbidden by the law cannot be hindered ; and no person can be constrained to do that which the law ordaineth not.

VI. The law is the expression of the general will : all the citizens have a right to concur personally, or by their representatives, to the formation of the law : it ought to be the same for all, whether it protect, or whether it punish. All citizens being equal in the eye of the law, are equally admissible to public honours, places, and offices, according to their capacity, and without any other distinction, but that of their virtue, or their talents.

VII. No man can be accused, arrested, or detained, except in cases determined by the law, and according to the forms which the law hath prescribed. Those who solicit, dispatch, execute, or cause to be executed, arbitrary orders, ought to be punished ; but every citizen that is summoned, or seized, in virtue of the law, ought to obey instantly—he becomes culpable by resistance.

VIII. The law ought to establish such punishments only, as are strictly and evidently necessary ; and no person can be punished, but in virtue of a law established, and promulgated prior to the offence, and legally applied.

IX. Every man being presumed innocent, till such time as he has been declared guilty, if it shall be deemed absolutely necessary to arrest a man, every kind of rigour employed, not necessary to secure his person, ought to be severely punished by the law.

X. No person shall be molested for his opinions, even such as are religious, provided that the manifestation of those opinions does not disturb the public order established by the law.

XI. The free communication of thought, and of opinion, is one of the most precious rights of man. Every citizen, therefore, may freely speak, write, and publish his sentiments; subject, however, to answer for the abuse of that liberty, in cases determined by the law.

XII. The guarantee of the rights of men and citizens involves a necessity of *public force*. This force is then instituted for the advantage of all, and not for the particular utility of those to whom it is confided.

XIII. For the maintenance of the public force, and for the expenses of administration, a common contribution is indispensably necessary: this contribution should be equally divided amongst all the citizens, in proportion to their abilities.

XIV. Every citizen has a right, by himself, or by his representatives, to decide concerning the necessity of the public contribution; to consent to it freely; to look after the employment of it; to determine the quantity, the distribution, the collection, and duration.

XV. Society has a right to demand from every public agent, an account of his administration.

XVI. That society in which the guarantee of rights is not assured, nor the separation of powers determined, has *no constitution*.

XVII. Property being a right inviolable and sacred, no person can be deprived of it, except when the public necessity, legally ascertained, shall evidently require it, and on condition of a just and previous indemnification.

THE NATIONAL ASSEMBLY, desirous of establishing the French Constitution on the principles which it has just now recognised and declared, abolishes, irrevocably, those institutions which are injurious to liberty and equality of rights.

There is no longer any *nobility*, nor *peerage*, nor *hereditary distinctions*, nor *difference of orders*, nor *feudal government*, nor *patrimonial jurisdiction*, nor any of the *titles*, *denominations*, and *prerogatives*, which are derived from them; nor any of the orders of *chivalry*, *corporations*, or *decorations*, for which proofs of nobility were required; nor any kind of superiority, but that of public functionaries, in the exercise of their functions.

No public office is henceforth *hereditary* or *purchaseable*.

No part of the nation, nor any individual, can henceforth possess any *privilege* or *exception* from the common rights of all Frenchmen.

There are no more *wardenships* or *corporations* in professions, arts, or trades.

The law recognizes no longer any *religious vows*, nor any

other engagements which would be contrary to natural rights, or to the Constitution.

TITLE I.

FUNDAMENTAL REGULATIONS, GUARANTEED BY THE CONSTITUTION.

THE Constitution guarantees, as natural and civil rights,

1. That all the citizens are admissible to places and employments, without any other distinction than that of *virtue* and *talents*.

2. That all taxes shall be equally divided amongst all the citizens, in proportion to their abilities.

3. That the same crimes shall be subject to the same punishments, without any distinction of persons.

The Constitution in like manner guarantees, as natural and civil rights, liberty to every man to go, stay, or depart, without being arrested, or detained, except according to the forms determined by the Constitution.

Liberty to every man to speak, write, print, and publish his thoughts, without the writings being subjected to censure or inspection before their publication, and to exercise the religious worship to which he is attached.

Liberty to the citizens to assemble peaceably, and without arms, in complying with the laws of police.

Liberty to address to the constituted authorities, petitions signed by individuals.

The Legislative Power can make no law which would attack, or impede the exercise of the natural and civil rights expressed in the present title, and guaranteed by the Constitution; but as liberty consists only in the power of doing whatever neither injures the rights of another, nor the public safety, the law may establish penalties against acts, which, attacking either the rights of others, or the public safety, would be injurious to society.

The Constitution guarantees the inviolability of property, or a just and previous indemnity for that of which public necessity, legally proved, shall require the sacrifice.

Property, destined to the expense of worship, and to all services of public utility, belongs to the nation, and shall, at all times, be at its disposal.

The Constitution guarantees all the alienations which have been, or which shall be made according to the forms established by the law.

The citizens have a right to elect or choose the ministers of their religions.

There shall be created and organised, a general establishment of *public aid* for the education of deserted children, to relieve the infirm poor, and to procure work for the healthy poor, who have not been able to find it for themselves.

There shall be created and organised, a *public instruction*, common to all citizens, gratuitous with regard to those parts of tuition indispensable for all men, and of which the establishments shall be gradually distributed, in proportion combined with the division of the kingdom.

There shall be established, *national festivals*, to preserve the remembrance of the French Revolution, to keep up fraternal affection amongst the citizens, and attachment to the constitution, the country, and the laws.

There shall be drawn up, a code of civil laws, common to all the kingdom.

TITLE II.

OF THE DIVISION OF THE KINGDOM, AND THE STATE OF THE CITIZENS.

I. THE KINGDOM is *one and indivisible*: its territory is divided into eighty-three departments; every department into districts; each district into cantons.

II. Those are *French Citizens*,

Who are born in France, of a French father;

Who, having been born in France, of a foreign father, have fixed their residence in the kingdom;

Who, having been born in a foreign country, of a French father, have returned to settle in France, and have taken the civic oath.

In fine, who having been born in a foreign country, being descended, in whatever degree, from a French man or French woman, who had left their country from religious motives, come to reside in France, and take the civic oath.

III. Those who, having been born out of the kingdom, of foreign parents, but reside in France, become French Citizens, after five years of continued residence in the kingdom; if, besides, they have acquired immoveable property, or married a French woman, or formed an establishment of agriculture or commerce, and if they have taken the civic oath.

IV. The legislative power may, from important considerations, naturalize a foreigner, upon no other condition than that of residing in France, and taking the civic oath.

V. The civic oath is, *I swear to be faithful to the Nation, the Law, and the King; and to maintain, with all my power, the con-*

stitution of the kingdom, decreed by the National Constituent Assembly in the years 1789, 1790, 1791.

VI. The quality of a French Citizen is lost :

- 1st, By naturalization in a foreign country;
- 2d, By being condemned to penalties, which involve the civic degradation, provided the person condemned be not re-instated;
- 3d, By a sentence of contumacy, provided the sentence be not annulled;

4thly, By an association with any foreign order of chivalry, or any foreign body, which shall suppose either proofs of nobility, or distinction of birth, or require religious vows.

VII. The law regards *marriage* solely as a *civil contract*. The legislative power shall establish for all the inhabitants, without distinction, the mode by which births, marriages, and deaths, shall be ascertained, and shall appoint the public officers, who shall receive and preserve the certificates of them.

VIII. French Citizens, considered with respect to those local relations which arise out of their association in cities, and in certain divisions of territory in the country, form the *communities*.

The legislative power may fix the extent and boundary of each community.

IX. The citizens who compose each community, have a right of choosing, for a time, according to the forms prescribed by the law, those among them, who, under the name of *municipal officers*, are charged with the management of the particular affairs of the community.

To the municipal officers may be delegated, certain functions relative to the general interest of the state.

X. The rules which the municipal officers shall be bound to follow, in the exercise both of the municipal functions, and of those which shall be delegated to them for the general interest, shall be fixed by the laws.

TITLE III.

OF THE PUBLIC POWERS.

I. THE *sovereignty* is one, indivisible, inalienable, and imprescriptible; it belongs to the nation: no section of the people, nor any individual, can assume to itself the exercise of it.

II. The Nation, from which alone flow all the powers, cannot exercise them but by delegation.

The French Constitution is *representative*; the representatives are the legislative body, and the king.

III. The legislative power is delegated to a National Assembly, composed of temporary representatives, freely chosen by the people, to be exercised by this Assembly, with the sanction of the King, in manner afterwards determined.

IV. The government is monarchical; the executive power is delegated to the King, to be exercised under his authority, by ministers and other responsible agents, in manner afterwards determined.

V. The judicial power is delegated to judges chosen for a time by the people.

CHAP. I.

OF THE NATIONAL LEGISLATIVE ASSEMBLY.

I. **T**HE National Assembly, forming the legislative body, is permanent, and consists of one chamber only.

II. It shall be formed by new elections every two years.

Each period of two years shall form one legislature.

III. The dispositions of the preceding articles shall not take place with respect to the ensuing legislative body, whose powers shall cease the last day of April, 1793.

IV. The renewal of the legislative body shall be matter of full right.

V. The legislative body cannot be dissolved by the king.

SECTION I.

Number of Representatives—Bases of Representation.

I. **T**HE number of representatives to the legislative body is seven hundred and forty-five, on account of the eighty-three departments of which the kingdom is composed, and independent of those that may be granted to the colonies.

II. The representatives shall be distributed among the eighty-three departments, according to the three proportions of *territory*, of *population*, and of *direct contribution*.

III. Of the seven hundred and forty-five representatives, two hundred and forty-seven are attached to the territory.

Of these, each department shall nominate three, except the department of Paris, which shall only nominate one.

IV. Two hundred and forty-nine representatives are attributed to the population.

The total mass of the active population of the kingdom is divided into two hundred and forty-nine parts, and each department nominates as many of the deputies as it contains parts of the population.

V. Two hundred and forty-nine representatives are attached to the direct contribution.

The sum total of the direct contribution of the kingdom is likewise divided into two hundred and forty-nine parts; and each department nominates as many deputies as it pays parts of the contribution.

SECTION II.

Primary Assemblies—Nomination of Electors.

I. IN order to form a National Legislative Assembly, the Active Citizens shall meet every two years, in Primary Assemblies, in the towns and cantons.

The Primary Assemblies shall form themselves, of full right, the second Sunday of March, if they have not been convoked sooner by the public officers established by law.

II. To be an Active Citizen, it is necessary,

To be born, or to have become a Frenchman ;

To be twenty-five years of age complete ;

To have resided in the city or canton during the time determined by the law.

To pay, in any part of the kingdom, a direct contribution, at least equal to the value of three days labour, and to produce the acquittance ;

Not to be in a menial capacity; namely, that of a servant receiving wages ;

To be inscribed in the municipality of the place of his residence, in the list of the national guards ;

To have taken the civic oath.

III. Every six years, the legislative body shall fix the *minimum* and the *maximum* of the value of a day's labour, and the administrators of the departments shall determine the rate of every district.

IV. None shall exercise the rights of an active citizen in more than one place, nor employ another as his substitute.

V. Those shall be excluded from the rights of an active citizen,

Who are in a state of accusation ;

Who, after having been constituted in a state of failure, or insolvability, proved by authentic documents, shall not produce a general discharge from their creditors.

VI. The Primary Assemblies shall name electors in proportion to the number of active citizens residing in the town or canton.

There shall be named one elector for a hundred active citizens present, or not, in the Assembly.

There shall be named two for one hundred, and fifty-one to two hundred and fifty ; and so on in this proportion.

VII. No man can be named elector, if, along with the conditions necessary in order to be an active citizen, he does not join the following :—In towns of more than six thousand inhabitants, that of being proprietor or life-renter of a property va-

lued on the rolls of contribution, at a revenue equal to the local value of two hundred days labour; or of renting a house, valued on the same rolls, at a revenue equal to the value of one hundred and fifty days labour.

In towns below six thousand inhabitants, that of being proprietor or life-renter of a property, valued on the rolls of contribution, at a revenue equal to the local value of one hundred and fifty days labour; or of renting a house, valued on the same rolls, at a revenue equal to the value of one hundred days labour.

And, in the country, that of being proprietor or life-renter of a property, valued on the rolls of contribution, at a revenue equal to the local value of one hundred and fifty days labour; or of being a farmer of lands, valued on the same rolls, at the value of four hundred days labour.

With respect to those who shall be at the same time proprietors or life-renters on one hand, and tacksmen or farmers on the other, their powers on these different accounts shall be added together, to establish their eligibility.

SECTION III.

Electoral Assemblies—Nomination of Representatives.

I. THE electors named in each department shall convene in order to choose that number of representatives, whose nomination shall belong to their department, and a number of substitutes equal to the third of the representatives.

The Electoral Assemblies shall form themselves, of full right, the last Sunday of March, if they have not been convoked sooner by the public officers appointed by law.

II. The representatives and substitutes shall be chosen by an absolute majority of votes, and cannot be chosen but from amongst the active citizens in the department.

III. All the active citizens, whatever be their condition, profession, or contribution, may be chosen representatives of the nation.

IV. Those, however, shall be obliged to decide between one or other situation—Ministers, and other agents of the executive power, removeable at pleasure; Commissioners of the national treasury; Collectors and receivers of direct contributions; Superintendants of the collection or management of indirect contributions and national domains, and those who, under any denomination whatever, are attached to the employs of the military or civil household of the King.

The administrators, sub-administrators, municipal officers, and commandants of the national guards, shall also be obliged to make a choice.

V. The exercise of judiciary functions shall be incompatible with those of a representative of the nation, during all the continuance of the legislature.

The Judges shall be replaced by their substitutes, and the King shall provide, by briefs of commission, for the replacing of his commissaries at the tribunals.

VI. The members of the legislative body may be re-elected to the next legislature ; but not afterwards, till after an interval of one legislature.

VII. The representatives named in the departments, shall not be representatives of a particular department, but of the whole nation, and no mandate can be given them.

SECTION IV.

Session and Regulation of the Primary and Electoral Assemblies.

I. THE Functions of the Primary and Electoral Assemblies are limited to the right of electing : and as soon as the elections are over, they shall separate, and shall not form themselves anew, but when they shall be convoked ; if it be not in the case of Sect. II. Art. I. and of Sect. III. Art. I. above.

II. No active citizen can enter or vote in an assembly, if he is armed.

III. Armed force cannot be introduced in the meeting, except at the express desire of the Assembly, unless in the case of actual violence, when the order of the President shall be sufficient to call in the aid of public force.

IV. Every two years, there shall be drawn up in each district, lists by cantons of the active citizens ; and the list of each canton shall be published and posted up two months before the meeting of the Primary Assembly. The protests which shall be made either against the right of citizens named in the list, or on the part of those who shall affirm that they are unjustly omitted, shall be carried to the tribunals, to be there summarily decided upon.

The list shall serve to regulate the admission of citizens in the next Primary Assembly, in every point that shall not have been ascertained by a sentence pronounced before the sitting of the Assembly.

V. The Electoral Assemblies have the right of verifying the qualifications and powers of those who shall present themselves there : and their decisions shall be provisionally executed, with a

reserve for the sentence of the legislative body at the time of the verification of the powers of deputies.

VI. In no case, and under no pretext, shall the King, or any agents named by him, interfere in questions relative to the regularity of the convocations, the sitting of assemblies, the form of elections, or the political rights of citizens. Without prejudice, however, to the functions of the commissaries of the King, in the cases determined by law, where questions relative to the political rights of citizens ought to be carried to the tribunals.

SECTION V.

Meeting of the Representatives in the National Legislative Assembly.

I. THE representatives shall assemble on the first Monday of May, in the place of the meeting of the last legislature.

II. They shall form themselves, provisionally, into an Assembly, under the presidency of the eldest, to verify the powers of the representatives present.

III. As soon as these shall be verified, to the number of three hundred and seventy-three members, they shall constitute themselves under the title of the *National Legislative Assembly*; they shall name a president, vice-president, and secretaries, and enter upon the exercise of their functions.

IV. During the whole of the month of May, if the number of representatives present fall short of three hundred and seventy-three, the Assembly shall not perform any legislative act. They may issue an arret, enjoining the absent members to attend to their functions within fifteen days at farthest, under a penalty of three thousand livres, if they do not produce an excuse which shall be deemed lawful by the legislative body.

V. On the last day of May, whatever be the number of members present, they shall constitute themselves a National Legislative Assembly.

VI. The representatives shall pronounce in a body, in the name of the French people, the oath, "*to live free, or die.*"

They shall then individually take the oath, *to maintain, with all their power, the constitution of the kingdom, decreed by the National Constituent Assembly during the years 1789, 1790, and 1791; to propose or assent to nothing in the course of the legislature, which may at all tend to infringe it; and to be, in every respect, faithful to the Nation, the Law, and the King.*

VII. The representatives of the nation are inviolable; they cannot be examined, accused, or judged at any time with respect

to what they have said, written, or done, in the exercise of their functions of representatives.

VIII. They may for a crime be seized in the act, or in virtue of an order of arrest; but notice shall be given of it, without delay to the Legislative Body; and the prosecution shall not be continued, till after the Legislative Body shall have decided that there is ground for accusation.

CHAP. II.

OF THE ROYALTY, THE REGENCY, AND THE MINISTERS.

SECTION I.

Of the Royalty and the King.

I. **T**HE Royalty is indivisible, and delegated hereditarily to the race on the throne, from male to male, by order of primogeniture, to the perpetual exclusion of women, and their descendants.

Nothing is prejudged respecting the effect of renunciations in the race on the throne.

II. The person of the king is sacred and inviolable: his only title is *King of the French*.

III. There is no authority in France superior to that of the law. The king reigns only by it, and it is only in the name of the law that he can require obedience.

IV. The king, on his accession to the throne, or at the period of his majority, shall take to the Nation, in the presence of the legislative body, the oath, "*To be faithful to the Nation, and to the Law; to employ all the power delegated to him, to maintain the Constitution decreed by the National Constituent Assembly in the years 1789, 1790, and 1791; and to cause the laws to be executed.*"

If the legislative body shall not be assembled, the king shall cause a proclamation to be issued, in which shall be expressed this oath, and a promise to repeat it as soon as the legislative body shall assemble.

V. If, one month after an invitation by the legislative body, the king has not taken this oath, or if after taking it he shall retract, he shall be deemed to have abdicated the royalty.

VI. If the king put himself at the head of an army, and direct the forces of it against the nation; or if he do not oppose, by a formal act, any such enterprise, undertaken in his name, he shall be deemed to have abdicated.

VII. If the King, having gone out of the kingdom, do not return, on the invitation of the legislative body, and within the delay fixed by the proclamation, which cannot be less than two months, he shall be deemed to have abdicated.

The delay shall commence from the day when the proclamation of the legislative body shall have been published in the place of its sitting; and the Ministers shall be obliged, under their responsibility, to perform all the acts of the executive power, the exercise of which shall be suspended in the hands of the absent king.

VIII. After abdication, express or legal, the king shall be in the class of citizens; and may be accused and tried, like them, for acts posterior to his abdication.

IX. The particular effects which the king possesses at his accession to the throne, are irrevocably united to the domain of the Nation; he has the disposition of those which he acquires on his own private account; if he has not disposed of them, they are in like manner united at the end of the reign.

X. The Nation makes provision for the splendor of the throne by a civil list, of which the Legislative Body shall fix the sum at the commencement of each reign, for the whole duration of that reign.

XI. The king shall appoint an administrator of the civil list, who shall institute all suits for the king, and against whom all actions for debts of the king shall be carried on, and judgments given and executed. Sentences of condemnation, obtained by the creditors of the civil list, shall be executed against the administrator personally and his private fortune.

XII. The king shall have, independent of the ordinary guard which shall be furnished him by the citizens, national guards of the place of his residence, a guard paid from the funds of the civil list. It shall not exceed one thousand two hundred foot, and six hundred horse.

The degrees and rules of advancement shall be the same in it as amongst the troops of the line. But those who compose the king's guards, shall pass through all the degrees exclusively amongst themselves, and cannot obtain any in the army of the line.

The king cannot choose his guards, but amongst those who are at present in active service in the troops of the line, or amongst the citizens who have served a year in the national guards, provided they are residents in the kingdom, and that they have previously taken the civic oath.

The king's guards cannot be ordered or required for any other public service.

SECTION II.

Of the Regency.

I. THE king is a minor till the age of eighteen complete ; and during his minority there shall be a regent of the kingdom.

II. The regency belongs to the relation of the king who is the next in degree, according to the order of succession to the throne, and who has attained the age of twenty-five, provided he be a Frenchman, resident in the kingdom, and not presumptive heir to any other crown, and have taken the civic oath.

Women are excluded from the regency.

III. If a minor king have no relations who unite the above qualities, the regent of the kingdom shall be elected as is directed in the following articles :

IV. The Legislative Body shall not elect the regent.

V. The electors of each district shall assemble in the chief place of their district, after a proclamation, which shall be issued in the first week of the new reign, by the legislative body, if convened ; and if separated, the minister of justice shall be bound to make that proclamation in the same week.

VI. The electors shall name, in every district, by individual scrutiny, and absolute plurality of votes, a citizen eligible, and resident in the district, to whom they shall give, by the procès-verbal of the election, a special mandate, limited to the sole function of electing the citizen whom he shall judge, in his heart and conscience, the most worthy of being regent of the kingdom.

VII. The citizens having these mandates, elected in the district, shall be bound to assemble in the town where the legislative body holds his seat, the fortieth day at farthest, counting from that of the advancement of the minor king to the throne ; and they shall form there the electoral assembly, who shall proceed to the nomination of the regent.

VIII. The election of the regent shall be made by individual scrutiny and absolute plurality of votes.

IX. The electoral assembly cannot employ itself, but relative to this election, and shall separate as soon as the election is finished.---Every other act which it shall attempt, is declared unconstitutional, and of no effect.

X. The electoral assembly shall make its president present the procès-verbal of the election to the legislative body, who, after having verified the regularity of the election, shall make it public over all the kingdom by a proclamation.

XI. The regent exercises, till the king's majority, all the functions of royalty, and is not personally responsible for the acts of his administration.

XII. The regent cannot begin the exercise of his functions, till after taking to the nation, in the presence of the legislative body, an oath, *To be faithful to the nation, the law, and the king; and to employ all the power delegated to the king, and of which the exercise is confided to him during the minority of the king, to maintain the constitution decreed by the National Constituent Assembly in the years 1789, 1790, and 1791, and to cause the laws to be executed.*

If the legislative body is not assembled, the regent shall cause a proclamation to be issued, in which shall be expressed this oath, and a promise to repeat it as soon as the legislative body shall be met.

XIII. As long as the regent is not entered on the exercise of his functions, the sanction of the laws remains suspended; the ministers continue to perform, under their responsibility, all the acts of the executive power.

XIV. As soon as the regent shall take the oath, the legislative body shall fix his allowance, which shall not be altered during his regency.

XV. If on account of the minority of the relation called to the regency, it has devolved to a more distant relation, or been settled by election, the regent who shall have entered on the exercise of it shall continue his functions till the majority of the king.

XVI. The regency of the kingdom confers no right over the person of the minor king.

XVII. The care of the minor king shall be confided to his mother; and if he has no mother, or if she be married again at the time of her son's accession to the throne, or if she marry again during the minority, the care of him shall be delegated by the legislative body.

Neither the regent, nor his descendants, nor a woman, can be chosen as guardian of the minor king.

XVIII. In case of the king's insanity, notoriously admitted, legally proved, and declared by the legislative body, after three successive deliberations, held monthly, there shall be a regency, as long as such incapacity continues.

SECTION III.

Of the Royal Family.

I. THE presumptive heir shall bear the name of *Prince Royal*. He cannot go out of the kingdom, without a decree of the legislative body, and the king's consent.

If he is gone out of it, and if, being arrived at eighteen years of age, he do not return to France, after being required by a proclamation of the legislative body, he is held to have abdicated the right of succession to the throne.

II. If the presumptive heir be a minor, the relation of full age, and next in order to the regency, is bound to reside within the kingdom. In case of his going out of it, and not returning on the requisition of the legislative body, he shall be held to have abdicated his right to the regency.

III. The mother of the minor king, having the care of him, or the guardian elected, if they go out of the kingdom, forfeit their charge.

If the mother of the presumptive heir, a minor, go out of the kingdom, she cannot, even after her return, have the care of her minor son, become king, but by a decree of the legislative body.

IV. A law shall be made to regulate the education of the minor king, and that of the minor heir presumptive.

V. The members of the royal family, called to the eventual succession to the throne, enjoy the rights of an active citizen, but are not eligible to any places, employs, or functions, in the nomination of the people.

Excepting the places of ministers, they are capable of offices and employs in the nomination of the king; however, they cannot be commanders in chief of any army or fleet, nor fulfil the functions of ambassadors, without the consent of the legislative body, granted on the proposition of the king.

VI. The members of the royal family, called to the eventual succession of the throne, shall add the denomination of *French Prince*, to the name which shall have been given them in the civil act, stating their birth; and this name can neither be patronymic, nor formed of any of the qualifications abolished by the present constitution.

The denomination of Prince cannot be given to any other individual, and shall convey no privilege, nor any exception, to the common rights of all Frenchmen.

VII. The acts by which shall be legally stated the births, marriages, and deaths of the French princes, shall be presented to the legislative body, who shall command the deposit of them in their archives.

VIII. No real apanage (in land) shall be granted to the members of the royal family.

The younger sons of the king shall receive, at the age of twenty-five, or on their marriage, an annuity, the amount of which shall be fixed by the legislative body, and which shall terminate with the extinction of their male heirs.

SECTION IV.

Of Ministers.

I. To the king alone belongs the choice and revocation of ministers.

II. The members of the present national assembly, and succeeding legislatures, the members of the tribunal of annulment, and those who shall serve in the high jury, cannot be advanced to the ministry, nor receive any offices, gifts, pensions, salaries, or commissions from the executive power, or its agents, during the continuance of their functions, nor during two years after having finished the exercise of them.

The same shall be the case with respect to those who shall be only inscribed in the list of the high jury, during all the time that their inscription shall continue.

III. No one can enter upon the exercise of any employ, either in the bureaux of ministers, or in those of the administrations of public power, without having taken the civic oath, and verified his having taken it.

IV. No order of the king can be executed, if it be not signed by him, and countersigned by the minister or comptroller of the department.

V. The ministers are responsible for all the offences committed by them against the national safety and the constitution ;

For every attack on individual property and liberty ;

For every waste of the money allotted for the expenses of their department.

VI. In no case can the written or verbal order of a king shelter a minister from responsibility.

VII. The ministers are bound to present every year to the legislative body, at the opening of the session, the state of the expenses of their department ; to give an account of the employment of the sums destined for that purpose, and to mention the abuses which may have crept into the different parts of the government.

VIII. No minister in or out of place can be criminally prosecuted for any transaction of his administration, without a decree of the legislative body.

CHAP. III.

OF THE EXERCISE OF THE LEGISLATIVE POWER.

SECTION II.

Powers and Functions of the National Legislative Assembly.

I. **T**HE constitution delegates exclusively to the legislative body, the powers and functions following :

1. To propose and decree laws : the king can only invite the legislative body to take an object into consideration.
2. To fix the public expenses.
3. To establish the public contributions—to determine their nature, quantity, duration, and mode of collection.
4. To divide the direct contribution amongst the departments of the kingdom—to superintend the employ of all the public revenue, and to demand an account of it.
5. To decree the creation or suppression of public offices.
6. To determine the quality, weight, impression, and name of the coin.
7. To permit or prohibit the introduction of foreign troops into the French territories, and of foreign naval forces into the ports of the kingdom.
8. To fix annually, after the proposition of the king, the number of men and ships, of which the land and naval armies shall be composed ; the pay and number of individuals of each rank ; the rules of admission and promotion ; the forms of enrolment and discharge ; the formation of naval equipments ; the admission of foreign troops, or naval forces, into the service of France ; and the pay of troops, in case of their being disbanded.
9. To regulate the administrative government, and the alienation of the national domains.
10. To prosecute before the high national court, the ministers and principal agents of the executive power, in what relates to their responsibility.
11. To accuse and prosecute before the same court, those who shall be charged with any attack or conspiracy against the general safety of the state or against the constitution.
12. To establish the laws, according to which marks of honour or decoration, purely personal, shall be granted to those who have rendered services to the state.
12. The legislative body have the right to decree public honours to the memory of great men,

II. War cannot be determined on, but by a decree of the legislative body, passed on the formal and necessary proposition of the King, and sanctioned by him.

In the case of imminent or commenced hostilities, of an ally to be supported, or a right to be preserved by force of arms, the King shall notify the same, without delay, to the legislative body, and shall declare the reasons of it.

If the legislative body be not sitting, the King shall assemble it immediately.

If the legislative body decide that war ought not to be made, the King shall immediately take measures to stop or prevent all hostilities, the ministers being responsible for delays.

If the legislative body find that the hostilities commenced are a palpable aggression on the part of ministers, or any other agent of the executive power, the author of the aggression shall be prosecuted criminally.

During the whole course of war, the legislative body may require the King to negotiate peace, and the King is bound to yield to this requisition.

On the immediate conclusion of war, the legislative body shall fix the time within which the troops levied above the peace establishment shall be discharged, and the army reduced to its ordinary state.

III. It belongs to the legislative body to ratify treaties of peace, alliance, and commerce; and no treaty shall have effect but by this ratification.

IV. The legislative body has the right of determining the place of its sittings, of continuing them as long as it shall think necessary, and of adjourning; at the commencement of each reign, if it be not sitting, it shall be bound to meet without delay.

It has the right of police in the place of its sitting, and to such extent around it as shall be determined.

It has the right of discipline over its members; but it can pronounce no heavier punishment than censure, arrest for eight days, or imprisonment for three.

It has the right of disposing, for its safety, and the respect that is due to it, of the forces which shall be placed, by its consent, in the city where it shall hold its sittings.

V. The executive power cannot march, or quarter, or station any troops of the line within thirty thousand toises of the legislative body, except on its requisition, or by its authority.

SECTION II.

Holding of the Sittings, and Form of Deliberating.

I. THE deliberations of the legislative body shall be public, and the proceedings of its sittings shall be printed.

II. The legislative body may, however, on any occasion, form itself into a *general committee*.

Fifty members shall have a right to demand this.

During the continuance of the general committee, the assistants shall retire, the chair of the president shall be vacant, and order shall be maintained by the vice-president.

III. No legislative act can be debated and decreed, except in the following form :

IV. The plan of a decree shall be read thrice, at three intervals, the shortest of which cannot be less than eight days.

V. The discussion shall be open after every reading, nevertheless, after the first or second reading, the legislative body may declare that there is reason for adjournment, or that there is no need for deliberation ; in this last case, the plan of the decree may be introduced again in the same session.

Every plan of a decree shall be printed and distributed before the second reading of it can be commenced.

VI. After the third reading, the president shall be bound to propose it to deliberation ; and the legislative body shall decide, whether they are qualified to pass a definitive decree, or would rather choose to postpone their decision, in order to gather more ample information on this subject.

VII. The legislative body cannot deliberate, if the meeting do not consist of at least two hundred members ; and no decree shall be made, except by the absolute majority of votes.

VIII. No plan of a law, which, after having been submitted to discussion, shall have been rejected after the third reading, can again be introduced the same session.

IX. The preamble of every definitive decree shall announce, first the dates of those sittings, at which the three readings of the plan of the decree were made ; second, the decree by which it shall have been appointed, after the third reading, to decide definitively.

X. The king shall refuse his sanction to the decrees whose preamble shall not attest the observance of the above forms ; if any of those decrees be sanctioned, the ministers shall neither put to it the seal, nor promulgate it, and their responsibility in this respect shall continue six years.

XI. Excepting from these regulations, decrees recognized,

and declared urgent by a previous deliberation of the legislative body; but they may be modified, or revoked, in the course of the same session.

The decree by which a matter shall have been declared urgent, shall announce the reasons of it, and there shall be mention made of this previous decree in the preamble of the definitive decree.

SECTION III.

Of the Royal Sanction.

I. THE decrees of the legislative body are presented to the king, who may refuse his assent to them.

II. In the case of a refusal of the royal assent, that refusal is only *suspensive*.

When the two following legislatures, which shall follow that in which the decree was presented, shall successively represent the same decree in the same terms in which it was originally conceived, the king shall be deemed to have given his sanction.

III. The assent of the king is expressed to each decree, by the following *formula*, signed by the king: *The king consents, and will cause it to be executed.*

The suspensive refusal is thus expressed: *The king will examine.*

IV. The king is bound to express his assent or refusal, to each decree, within two months after it shall have been presented.

V. No decree to which the king has refused his assent, can be presented to him by the same legislature.

VI. The decrees sanctioned by the king, and those which have been presented to him by three successive legislatures, alone have the force of a law, and bear the name and title of *laws*.

VII. There shall be, however, executed as laws, without being subjected to sanction, those acts of the legislative body which relate to its constitution as a deliberating assembly;

Its interior police, and that which it may exercise in the external space, which it shall have determined;

The verification of the powers of the members present;

The injunctions to absent members;

The convocation of the primary assemblies in case of delay;

The exercise of constitutional superintendence over the administrators and municipal officers;

Questions of eligibility, or the validity of elections.

Exempting likewise from sanction, acts relative to the responsibility of ministers, and all decrees importing that there is ground of accusation.

VIII. The decrees of the legislative body, concerning the establishment, prorogation, and collection of public contributions, shall bear the name and title of laws; they shall be promulgated and executed without being subject to sanction, except with respect to those dispositions, which should establish other penalties than pecuniary fines and constraints.

These decrees cannot be passed but after the observation of the formalities prescribed by the articles 4, 5, 6, 7, 8, and 9, of sect. II. of the present chapter; and the legislative body shall not insert in them any dispositions foreign to their object.

SECTION IV.

Connection of the Legislative Body with the King.

I. WHEN the legislative body is definitively constituted, it shall send a deputation to inform the king. The king may every year open the session, and propose the objects, which, during its continuance, he thinks ought to be taken into consideration: this form, however, is not to be considered as *necessary* to the activity of the legislative body.

II. When the legislative body wishes to adjourn longer than fifteen days, it is bound to inform the king, by a deputation, at least eight days previous.

III. A week, at least, before the end of each session, the legislative body shall send a deputation to the king, to announce to him the day on which it proposes to terminate its sittings. The king may come, in order to close the session.

IV. If the king find it of importance to the welfare of the State, that the session be continued, or that the adjournment be put off, or take place only for a shorter time, he may send a message to this effect, on which the legislative body is bound to deliberate.

V. The king shall convoke the legislative body, during the interval of its session, at all times when the interest of the State shall appear to him to require it, as well as in those cases which the legislative body shall have foreseen and determined, previous to their adjournment.

VI. Whenever the king shall visit the place of meeting of the legislative body, he shall be received and conducted back by a deputation; he cannot be accompanied into the inner part of the hall by any, except the prince royal and the ministers.

VII. The president can in no case form part of a deputation.

VIII. The legislative body shall cease to be a deliberating body whilst the king shall be present.

IX. The acts of correspondence of the king with the legislative body, shall be always countersigned by a minister.

X. The ministers of the king shall have admission into the national legislative assembly: they shall have a place assigned to them; they shall be heard always when they demand it on objects relative to their administration, or when they shall be required to give information. They shall also be heard on objects foreign to their administration, when the national assembly shall grant them liberty to speak.

CHAP. IV.

OF THE EXERCISE OF THE EXECUTIVE POWER.

I. **T**HE *supreme* executive power resides exclusively in the hands of the king.

The king is the supreme head of the general administration of the kingdom: the care of watching over the maintenance of public order and tranquillity is entrusted to him.

The king is the supreme head of the land and sea forces.

To the king is delegated the care of watching over the exterior security of the kingdom, and of maintaining its rights and possessions.

II. The king names ambassadors, and the other agents of political negotiations.

He bestows the command of armies and fleets, and the ranks of Marshal of France and Admiral.

He names two thirds of the rear-admirals, one half of the lieutenant-generals, camp marshals, captains of ships, and colonels of the national gendarmerie.

He names a third of the colonels and lieutenant-colonels, and a sixth of the lieutenants of ships—the whole in conformity to the laws with respect to promotion.

He appoints, in the civil administration of the marine, the directors, the comptrollers, the treasurers of the arsenals, the masters of the works, the under-masters of civil buildings, half of the masters of administration, and of the under-masters of construction.

He appoints the commissaries of the tribunals.

He appoints the chief superintendants of the administration of indirect contributions, and the administration of national domains.

He superintends the coinage of money, and appoints the officers entrusted with this superintendence in the general commission and the mints.

The effigy of the king is struck on all the coinage of the kingdom.

III. The king orders letters patent, brevets, and commissions,

to be delivered to all the public offices that ought to receive them.

IV. The king orders a list of pensions and gratifications to be made out, for the purpose of being presented to the legislative body each session, and decreed, if there is reason for it.

SECTION I.

Of the Promulgation of Laws.

I. THE executive power is charged with ordering the seal of state to be put to laws, and causing them to be promulgated.

It is equally charged with causing to be promulgated and executed, those acts of the legislative body which have no need of the sanction of the king.

II. Two copies of each law shall be made, both signed by the king, countersigned by the minister of justice, and sealed with the seal of State. The one shall be deposited in the archives of the seal, and the other shall be sent to the archives of the legislative body.

III. The promulgation of laws shall be thus expressed :

" N. (the king's name) by the grace of God and the constitutional law of the State, King of the French, to all present and to come, greeting. The National Assembly has decreed, and we will and ordain as follows :

(Here a literal copy of the decree shall be inserted, without any variation.)

" We command and ordain to all administrative bodies and courts of justice, to cause these presents to be transcribed on their registers, read and published, and posted up in their departments and respective places of resort, and executed as a law of the realm; in witness of which we have signed these presents, to which we have caused the seal of the State to be put."

IV. If the king be a minor, laws, proclamations, and other acts proceeding from the royal authority during the regency, shall be conceived in these terms :

" N. (the name of the regent) regent of the kingdom, in the name of N. (the king's name) by the grace of God and the constitutional law of the State, King of the French, &c."

V. The executive power is bound to send the laws to the administrative bodies and courts of justice, to be certified that they are so sent, and to answer for it to the legislative body.

VI. The executive power cannot make any law, not even provisional, but merely proclamations, conformable to the laws, to ordain or enforce the execution.

SECTION II.

Of the Interior Administration.

I. THERE is in each department a superior administration, and in each district a subordinate administration.

II. The administrators have no character of representation.

They are agents, chosen for a time by the people, to exercise, under the superintendence and authority of the king, the administrative functions.

III. They can neither intermeddle in the exercise of the legislative power, nor suspend the execution of the laws, nor assume any authority over judicial proceedings, nor over military regulations or operations.

IV. The administrators are essentially charged with the repartition of the direct taxes, and with the superintendence of the funds arising from all the contributions and public revenues in their territory.

It belongs to the legislative power to determine the rules and mode of their functions, both with respect to the objects above mentioned, as well as with respect to all the other parts of the interior administration.

V. The king has the right of annulling such acts of the administrators of department, as are contrary to the law, or the orders he has transmitted to them.

He may, in case of obstinate disobedience, or of their endangering, by their acts, the safety or peace of the public, suspend them from their functions.

VI. The administrators of department have also the right of annulling the acts of the sub-administrators of district, contrary to the laws or to the orders of administrators of department, or to the orders which the latter shall have given or transmitted.

They may likewise, in case of an obstinate disobedience on the part of the sub-administrators, or if the latter endanger, by their acts, the public safety or tranquillity, suspend them from their functions, with the reserve of informing the king, who may remove or confirm the suspension.

VII. The king, if the administrators of department shall not use the power which is delegated to them in the article above, may directly annul the acts of sub-administrators, and suspend them in the same cases.

VIII. Whenever the king shall pronounce or confirm the suspension of administrators, or sub-administrators, he shall inform the legislative body. This body may either remove or confirm the suspension, or even dissolve the culpable administration; and, if there be ground, remit all the administrators, or

some of them, to the criminal tribunals, or enforce against them the decree of accusation.

SECTION III.

Of External Connections.

I. THE King alone can keep up foreign political connections, conduct negotiations, make preparations of war proportioned to those of the neighbouring states; distribute the land and sea forces, as he shall judge most suitable, and regulate their direction in case of war.

II. Every declaration of war shall be made in these terms :
By the King of the French, in the name of the Nation.

III. It belongs to the King to resolve and sign with all foreign powers, all treaties of peace, alliance, and commerce, and other conventions which he shall judge necessary for the welfare of the State, with a reserve for the ratification of the legislative body.

CHAP. V.

Of the Judicial Power.

I. THE judicial power can in no case be exercised, either by the legislative body or the king.

II. Justice shall be gratuitously rendered, by judges chosen for a time by the people, instituted by letters patent of the king, who cannot refuse to grant them. They cannot be deposed, but for forfeiture duly judged; nor suspended but for an accusation admitted.

The public accusers shall be named by the people.

III. The tribunals cannot either interfere in the exercise of the legislative power, or suspend the execution of the laws, or undertake the administrative function, or cite before them the administrators, on account of their functions.

IV. The citizens cannot be withdrawn from the judges whom the law assigns to them by any commission, or by any other attributions or evocations than those which are determined by the laws.

V. The right of the citizens to terminate definitively their disputes by the way of arbitration, shall receive no infringement from the acts of the legislative power.

VI. The ordinary courts of justice cannot receive any civil action, until it be certified to them that the parties have appeared, or that the pursuer has cited the opposite party to appear before *mediators*, to endeavour to bring about a reconciliation.

VII. There shall be one or more judges of peace in the can-

ton and in the towns. The number of them shall be determined by the legislative power.

VIII. It belongs to the legislative power to regulate the number and extent of jurisdiction of the tribunals, and the number of judges of which each tribunal shall be composed.

IX. In *criminal* matters, no citizen can be tried, but on an accusation received by a jury, or decreed by the legislative body, in the cases where it belongs to it to pursue the accusation.

After the admission of the accusation, the fact shall be recognized and declared by a jury.

The accused shall have a right to refuse, as far as twenty jurors, without assigning reasons.

The jury which declares the fact, cannot be of fewer than twelve members.

The application of the law shall be made by judges.

The instruction of the process shall be public, and the assistance of counsel cannot be refused to the accused.

No man acquitted by a lawful jury, can be retaken or accused on account of the same fact.

X. No man can be seized upon, but in order to be conducted before an officer of police: and no man can be arrested or detained, but in virtue of a mandate of the officers of police; of an order for personal arrestation by a tribunal; of a decree of accusation of the legislative body, in the cases where it belongs to it to pronounce; or of a sentence of imprisonment or detention for the sake of correction.

XI. Every man seized upon and conducted before an officer of police, shall be examined immediately, or at least in twenty-four hours.

If it result from the examination, that there be no ground for blame against him, he shall be directly set at liberty; or if there be ground to send him to a house of arrest, he shall be conducted there with the least delay possible, and that in any case cannot exceed three days.

XII. No man arrested can be detained if he give sufficient bail, in all cases where the law permits a man to remain free under bail.

XIII. No man, in the cases when detention is authorized by the law, can be conducted or detained any where, but in those places legally and publicly marked out as houses of arrest, of justice, or prisons.

XI. No guard nor jailor can receive or detain any man, but in virtue of a mandate, order of arrest, decree of accusation, or sentence, mentioned in the tenth article above, nor without transcribing them in his own register.

XV. Every guard or jailor is bound, and no order can release him from the obligation, to produce the person detained to the civil officer who superintends the police of the house of arrest, as often as it shall be required of him.

The production of the person detained, cannot also be refused to his relations and friends, who bring an order from a civil officer, who shall be bound always to grant it, unless the guard or jailor produce an order from a judge, transcribed in his register, to keep the person arrested secret.

XVI. Every man, whatever be his place or occupation, except those to whom the law confides the right of arrestation, who shall give, sign, execute, or make to be executed, an order to arrest a citizen ; or whoever, even in the cases of arrestation authorised by the law, shall conduct, receive, or detain a citizen, in a place of detention not publicly and legally marked out ; and every guard or jailor who shall act in opposition to the disposition of the above XIV. and XV. articles ; shall be culpable of the crime of arbitrary detention.

XVII. No man can be taken up, or prosecuted, on account of the writings which he has made to be printed or published, whatever be their subject, if he has not *designedly* provoked disobedience to the law, outrage to the established powers, and resistance to their acts, or any of the actions declared crimes or offences by the law.

The censure of all the acts of the established powers is permitted ; but voluntary calumnies against the probity of public officers, and against the rectitude of their intentions in the exercise of their functions, may be prosecuted by those who are the subject of them.

Calumnies, or injurious sayings against any kind of persons, relative to the actions of their private life, shall be punished by prosecution.

XVIII. No man can be judged, either civilly or criminally, for acts of writing, printing, or publishing, except it has been recognized and declared by a jury, 1st, that there is an offence in the writing denounced ; 2d, that the person prosecuted is guilty of it.

XIX. There shall be, for the whole kingdom, one only tribunal of annulment, established near the legislative body. Its functions shall be, to pronounce

On demands of annulment of judgments, given in the last resort by the tribunals ;

On demands of being remitted from one tribunal to another, for lawful causes of suspicion ;

On regulations respecting judges, and suits against a whole tribunal.

XX. In questions of annulment, the tribunal of annulment shall never take cognizance of the affair itself; but after having annulled the sentence which shall have been pronounced in a process, and in which the forms have been violated, or which shall contain an express contradiction to the law, it shall remit the original affair to the tribunal which ought to decide on it.

XXI. When, after being twice annulled, a sentence pronounced by a third tribunal shall be attacked on the same grounds as at first, the question shall no more be judged by the tribunal of annulment, without having been submitted to the legislative body, who shall pass a decree declarative of the law, to which the tribunal of annulment shall be bound to conform.

XXII. Every year, the tribunal of annulment shall be bound to send to the bar of the legislative body, a deputation of eight of its members, to present a state of the decisions passed; on the the margin of each of which shall be placed a short account of the affair, and the text of the law which shall have determined the decision.

XIII. A high national court, formed of the members of the members of the tribunal of annulment, and of high jurors, shall take cognizance of offences committed by the ministers and principal agents of the executive power, and of those crimes which attack the general safety of the State, after the legislative body shall have passed a decree for accusation.

It shall not be assembled but at the proclamation of the legislative body, and at the distance of thirty thousand toises at least, from the place where the legislative body holds its meetings.

XXIV. The orders issued for executing the judgments of the tribunals shall be conceived in these terms:

"N. (the name of the king) by the grace of God, and by the constitutional law of the State, King of the French, to all present and to come, greeting. The tribunal of —, has passed the following judgment:"—(Here shall follow a copy of the judgment, in which shall be mentioned the names of the judges.)

"We charge and enjoin all officers, upon the present demand, to put the said judgment into execution, our commissaries of the tribunals to enforce the same, and all the commanders and officers of the public force to be assisting with their force, when it shall be legally required; in witness of which, the present judgment has been signed by the president of the tribunal, and by the register."

XXV. The functions of the king's commissaries in the tribunals shall be, to require the observance of the laws in the judgments to be given, and to cause them to be executed after they are passed.

They shall not be public accusers; but they shall be heard on all accusations, and shall require, during process, regularity of forms, and, before judgment, application of the law.

XXVI. The king's commissaries in the tribunals shall denounce to the director of the jury, either officially, or according to orders given them by the king;

Offences against the individually liberty of citizens, against the free circulation of provisions and other objects of commerce, and against the collection of contributions;

Offences by which the execution of orders given by the king, in the exercise of the functions delegated to him, shall be disturbed or impeded;

Infringements on the law of nations; opposition to the execution of judgments; and to all executive acts proceeding from established power.

XXVII. The minister of justice shall denounce to the tribunal of appeal, by means of the king's commissary, and without prejudice to the rights of the parties interested, the acts in which the judges have exceeded the bounds of their powers.

The tribunal shall annul these acts; and if they give ground for forfeiture, the fact shall be represented to the legislative body, which shall pass the decree of accusation if there be ground, and refer the parties informed against to the high national court.

T I T L E IV.

OF THE PUBLIC FORCE.

I. THE public force is instituted to defend the State against external enemies, and to maintain internal order, and the execution of the laws.

II. It is composed

Of the land and sea armies;

Of the troops especially destined for home service;

And, subsidiarily, of the active citizens, and their children of age to bear arms, registered in the roll of national guards.

III. The national guards do not form a military body, or an institution in the state; they are the citizens themselves, called to assist the public force.

IV. The citizens can never embody themselves, or act as national guards, but by virtue of a legal requisition or authority.

V. They are subject in this quality to an organization, to be determined by the law.

They shall be distinguished in the whole kingdom by only one form of discipline, and one uniform.

Distinctions of rank and subordination subsist only relatively to the service, and during its continuance.

VI. Officers are chosen for a time, and cannot again be chosen till after a certain interval of service as soldiers.

None shall command the national guard of more than one district.

VII. All the parts of the public force employed for the safety of the State from foreign enemies, shall act under the command of the king.

VIII. No body or detachment of troops of the line can act in the internal part of the kingdom without a legal order.

IX. No agent of the public force can enter the house of a citizen, if it be not on purpose to execute the orders of police and of justice, or in cases formally provided for by the law.

X. The requisition of the public force, in the internal part of the kingdom, belongs to the civil officers, according to the regulations provided by the legislative power.

XI. When any department is throughout in a state of commotion, the king shall issue, under the responsibility of ministers, the necessary orders for the execution of laws, and the re-establishment of order; but with the reserve of informing the legislative body if it be assembled, and of convoking, it if it be not sitting.

XII. The public force is *essentially obedient*; no armed body can deliberate.

XIII. The land and sea armies, and the troops destined to preserve internal security, are subjected to particular laws, both for the maintenance and discipline, and for the manner of judgments, and the nature of punishments, on occasion of military offences.

TITLE V.

OF PUBLIC CONTRIBUTIONS.

I. PUBLIC contributions shall be debated and fixed every year by the legislative body, and cannot continue in force longer than the last day of the following session, if they are not expressly renewed.

II. The funds necessary to the discharge of the national debt, and the payment of the civil list, can, under no pretext, be refused or suspended.

The salaries of the ministers of the catholic religion, who are paid, preserved, elected, or named in virtue of the decrees of the National Constituent Assembly, form a part of the national debt.

The legislative body cannot, in any case, charge the Nation with the payment of the debts of any individual.

III. The accounts at full length of the ministerial department, signed and certified by the ministers or commissioners, shall be rendered public, by being printed at the commencement of the session of each legislature.

So shall also the state of receipts of the different taxes, and all the public revenues.

The state of receipt and expenditure shall be distinguished according to their nature, and shall express the sums received and disbursed, year by year, in each district.

The private expenses of each department, and those relative to the tribunals, the administrative bodies, and other establishments, shall also be rendered public.

IV. The administrators of department, and sub-administrators, can neither establish any public contribution, nor make any distribution beyond the time and the sums fixed by the legislative body; nor deliberate, or permit, without being authorized by it, any local loan to be charged to the citizens of the department.

V. The executive power directs and superintends the collection and paying in of contributions, and gives all the necessary orders to this effect.

TITLE VI.

OF THE CONNECTION OF THE FRENCH NATION WITH OTHER NATIONS.

THE French nation renounces the undertaking of any war with a view to make conquest, and will never employ its forces against the liberty of any people.

The constitution no longer admits the Droit d'Aubaine.

Foreigners, whether settled in France or not, inherit the property of their parents, whether Foreigners or Frenchmen.

They can contract, acquire, and receive property situated in France, and dispose of it, as well as any French citizen, in every mode authorized by the laws.

Foreigners in France are subject to the same criminal laws and regulations of police as French citizens, with a reserve for conventions agreed on with foreign powers. Their persons, effects, industry, and religion, are equally protected by the law.

TITLE VII.

OF THE REVISION OF CONSTITUTIONAL DECREES.

I. THE National Constituent Assembly declares, that the Nation has an imprescriptible right to change its constitution; and nevertheless, considering that it is most suitable to the national interest to make use, only by means appointed by the constitution itself, of the right of reforming those articles which experience shall demonstrate the inconvenience of, decrees, that the assembly of the revision shall proceed in the following manner.

II. When three following legislatures shall have declared an uniform wish for the change of any constitutional article, the revision demanded shall take place.

III. The ensuing legislature (that commencing in 1791) cannot propose the reform of any constitutional article.

IV. Of the three legislatures who shall successively propose any changes, the first two shall not occupy themselves relative to that object, but in the last two months of their last session, and the third at the end of its first annual session, or at the beginning of the second.

Their deliberations on that matter shall be subjected to the same forms as the legislative acts; but the decrees by which they shall have expressed their desires, shall not be subjected to the sanction of the king.

V. The fourth legislature, augmented by two hundred and forty-nine members chosen in each department, by doubling the ordinary number which it furnishes for its population, shall constitute the assembly of revision.

These two hundred and forty-nine members shall be elected after the nomination of representatives to the legislative body shall have been terminated, and there shall be formed a separate procès-verbal of it.

The assembly of revision shall not be composed of more than one chamber.

VI. The members of the third legislature, who shall have demanded a change, cannot be elected in the assembly of revision.

VII. The members of the assembly of revision, after having pronounced all at once the oath, "*to live free or die,*" shall individually swear, *to confine themselves to decide on the objects which shall have been submitted to them by the unanimous wish of three preceeding legislatures; and to maintain, in other respects, with all their power, the constitution of the kingdom decreed by the National Constituent Assembly in the years 1789, 1790, and 1791; and to be in all faithful to the Nation, to the Law, and to the King.*

VIII. The assembly of revision shall be bound to occupy itself afterwards, and without delay, in the objects which shall have been submitted to its examination; and as soon as this task is finished, the two hundred and forty-nine new members, named over and above, shall retire, without taking a part in any case in the *legislative acts*.

The French colonies and possessions in Asia, Africa, and America, although they make a part of the French empire, are not included in the present constitution.

None of the powers instituted by the constitution have a right to change it in its whole, or in its parts, excepting the reforms which may be made in it by the mode of revision, conformably to the regulations of Title VII. above.

The National Constituent Assembly commits the deposit of it to the fidelity of the legislative body, of the king, and of the judges, to the vigilance of fathers of families, to wives and to mothers, to the attachment of young citizens, to the courage of all Frenchmen.

The decrees passed by the National Assembly, which are not included in the act of constitution, shall be executed as laws; and those anterior laws which it has not altered, shall also be observed so long as they shall not be revoked or modified by the legislative power.

(Signed) VERNIER, President.

POUGEARD,
COUPPE,
MAILLY,
CHATEAU-RENARD,
CHAILLON,
AUBRY (Bishop of the Department of the
Meuse),
DARCHE,

} Secretaries.

NEW DECLARATION
OF THE
RIGHTS OF MAN ;

AGREED TO BY THE CONVENTION, ON SUNDAY, JUNE
23, 1793.

THE French people, convinced that forgetfulness of, and contempt for, the natural rights of man are the only causes of the crimes and misfortunes of the world; have resolved to expose, in a Declaration, their sacred and unalienable rights, in order that all citizens, being able always to compare the acts of the government with the end of every social institution, may never suffer themselves to be oppressed and degraded by tyranny; and that the People may always have before their eyes the basis of their liberty and happiness: the Magistrates the rule of their duty; and the Legislature the object of their mission—

They acknowledge therefore and proclaim, in the presence of the Supreme Being, the following

DECLARATION OF THE RIGHTS OF MAN, AND OF
CITIZENS.

Article I. The end of society is common happiness. Government is instituted to secure to man the enjoyment of his natural and imprescriptible rights.

II. These rights are Equality, Liberty, Safety, and Property.

III. All men are equal by Nature, and before the law.

IV. The Law is the free and solemn expression of the general will. It ought to be the same for all, whether it protects or punishes. It cannot order but what is just and useful to Society. It cannot forbid but what is hurtful.

V. All Citizens are equally admissible to public employments. Free people avow no other motives of preference in their elections than virtue and talents.

VI. Liberty is that power which belongs to a man, of doing

every thing that does not hurt the rights of another : its principle is nature : its rule justice : its protection the law : and its moral limits are defined by this maxim, "Do not to another what you would not wish done to yourself."

VII. The right of manifesting one's thoughts and opinions, either by the press, or in any other manner : the right of assembling peaceably, and the free exercise of religious worship, cannot be forbidden. The necessity of announcing these rights supposes either the presence or the recent remembrance of despotism.

VIII. Whatever is not forbidden by the law cannot be prevented. No one can be forced to do that which it does not order.

IX. Safety consists in the protection granted by the society to each citizen for the preservation of his person, his rights, and his property.

X. The law avenges public and individual liberty of the abuses committed against them by power.

XI. No person can be accused, arrested, or confined, but in cases determined by the law, and according to the forms which it prescribes. Every citizen summoned or seized by the authority of the law, ought immediately to obey ; he renders himself culpable by resistance.

XII. Every act exercised against a man to which the cases in the law do not apply, and in which its forms are not observed, is arbitrary and tyrannical. Respect for the law forbids him to submit to such acts ; and if attempts are made to execute them by violence, he has a right to repel force by force.

XIII. Those who shall solicit, dispatch, sign, execute, or cause to be executed, arbitrary acts, are culpable, and ought to be punished.

XIV. Every man being supposed innocent until he has been declared guilty, if it is judged indispensable to arrest him, all severity not necessary to secure his person ought to be strictly repressed by the law.

XV. No one ought to be tried and punished until he has been legally summoned, and in virtue of a law published previous to the commission of the crime. A law which should punish crimes committed before it existed would be tyrannical. The retro-active effect given to a law would be a crime.

XVI. The law ought not to decree any punishments but such as are strictly and evidently necessary : punishment ought to be proportioned to the crime, and useful to society.

XVII. The right of property is that right which belongs to

every citizen to enjoy and dispose of, according to his pleasure, his property, revenues, labour, and industry.

XVIII. No kind of labour, culture, or commerce, can be forbidden to the industrious citizen.

XIX. Every man may engage his services and his time, but he cannot sell himself; his person is not alienable property. The law does not acknowledge servitude; there can exist only an engagement of care and gratitude between the man who labours and the man who employs him.

XX. No one can be deprived of the smallest portion of his property, without his consent, except when the public necessity, legally ascertained, evidently requires it, and on condition of a just and previous indemnification.

XXI. No contribution can be established but for general utility, and to relieve the public wants. Every citizen has a right to concur in the establishment of contributions, to watch over the use made of them, and to call for a statement of their expenditure.

XXII. Public aids are a sacred debt. The society is obliged to provide for the subsistence of the unfortunate, either by procuring them work, or by securing the means of existence to those who are unable to labour.

XXIII. Instruction is the want of all, and the society ought to favour, with all its power, the progress of public reason; and to place instruction within the reach of every citizen.

XXIV. The social guarantee consists in the actions of all, to secure to each the enjoyment and preservation of his rights. This guarantee rests on the National Sovereignty.

XXV. The social guarantee cannot exist if the limits of public functions are not clearly determined by the law, and if the responsibility of all public functionaries is not secured.

XXVI. The Sovereignty resides in the people: it is one and indivisible, imprescriptible and inalienable.

XXVII. No portion of the people can exercise the power of the whole: but each Section of the Sovereign assembled ought to enjoy the right of expressing its will in perfect liberty. Every individual who arrogates to himself the Sovereignty, or who usurps the exercise of it, ought to be put to death by free men.

XXVIII. A people have always the right of revising, amending, and changing their Constitution. One generation cannot subject to its laws future generations.

XXIX. Every citizen has an equal right of concurring in the formation of the law, and in the nomination of his mandatories or agents.

XXX. Public functions cannot be considered as distinctions or rewards, but as duties.

XXXI. Crimes committed by the mandatories of the people and their agents, ought never to remain unpunished. No one has a right to pretend to be more inviolable than other citizens.

XXXII. The right of presenting petitions to the Depositories of Public Authority belongs to every individual. The exercise of this right cannot, in any case, be forbidden, suspended, or limited.

XXXIII. Resistance to oppression is the consequence of the other rights of man.

XXXIV. Oppression is exercised against the social body, when even one of its members is oppressed. Oppression is exercised against each member, when the social body is oppressed.

XXXV. When the Government violates the rights of the people, insurrection becomes to the people, and to every portion of the people, the most sacred and the most indispensable of duties.

THE CONSTITUTIONAL ACT.

OF THE REPUBLIC.

Art. I. The French Republic is one and indivisible.

OF THE DIVISION OF THE PEOPLE.

II. The French People are divided, for the exercise of the sovereignty, into Primary Assemblies of Cantons.

III. For the administration of justice they are divided into Departments, Districts, and Municipalities.

OF THE STATE OF CITIZENS.

IV. Every man born and resident in France, of the age of twenty one years complete, every foreigner aged twenty-one years complete, who has resided a year in France, who has acquired property, married a French woman, adopted a child, or maintained an aged person; in short, every foreigner who shall be judged by the Legislative Body to have deserved well by his humanity, shall be admitted to exercise the rights of a French citizen.

V. The exercise of the rights of Citizens shall be lost by being naturalized in a foreign country, by accepting functions or fa-

VI. The exercise of the rights of Citizens shall be suspended by a state of accusation ; and by being declared contumacious, as long as the sentence is not reversed.

VII. The Sovereign People are the universality of the French Citizens.

IX. They shall delegate to Electors the choice of Administrators, Public Arbitrators, Criminal Judges, and Judges of Appeal.

OF PRIMARY ASSEMBLIES.

XII. They shall consist of two hundred Citizens at least, or six hundred at most, called to vote.

XIV. Their police shall belong to them.

XV. No person can appear there with arms.

XVI. The Elections shall be made by scrutiny, or openly by the voice of each voter.

XVII. A Primary Assembly cannot, in any case, prescribe an uniform mode of voting.

XVIII. The Scrutineers shall certify the votes of Citizens who, not being able to write, prefer voting by scrutiny.

XIX. The suffrages on laws shall be given by *yes* or *no*.

XX. The will of the Primary Assembly shall be proclaimed as follows: "*The Citizens united in the Primary Assembly of to the number of Voters, vote (for or against) by a majority of*

XXI. Population is the sole basis of the National Representation.

XXII. There is one Deputy for every forty thousand individuals.

XXIII. Each re-union of Primary Assemblies resulting from a population of from thirty-nine to forty-one thousand souls, nominates directly one Deputy.

XXIV. The nomination is made by the absolute majority of suffrages.

XV. Each Assembly casts up the suffrages, and sends a Commissioner for the general casting up to the place pointed out as the most central.

XXVII. If the casting up does not give an absolute majority, a second vote is proceeded to, and the votes are taken for the two citizens who had the most voices.

XXVII. In case of equality of voices, the eldest has the preference, either to be on the ballot, or elected. In case of equality of age, lot decides.

XXVIII. Every Frenchman, exercising the rights of citizen, is eligible through the extent of the Republic.

XXIX. Each Deputy belongs to the whole nation.

XXX. In case of the non-acceptance, resignation, forfeiture, or death, of a Deputy, he is replaced by the Primary Assemblies who nominated him.

XXXI. A Deputy, who has given in his resignation, cannot quit his post but after the admission of his successor.

XXXII. The French people assemble every year on the first of May for elections.

XXXIII. It proceeds in them, whatever be the number of citizens present having a right to vote.

XXXIV. Primary Assemblies are formed on extraordinary occasions, on the demand of a fifth of the citizens, who have a right to vote in them.

XXXV. The convocation is made, in this case, by the Municipality of the ordinary place of meeting.

XXXVI. These extraordinary Assemblies do not deliberate but when one more than the half of the citizens who have a right to vote in them are present.

OF THE ELECTORAL ASSEMBLIES.

XXXVII. The citizens met, in Primary Assemblies, nominate one elector for every two hundred citizens, present or not, two for from two hundred and one to four hundred, and three from four hundred and one to six hundred.

XXXVIII. The holding of the Electoral Assemblies, and the mode elections, are the same as in the Primary Assemblies.

OF THE LEGISLATIVE BODY.

XXXIX. The Legislative Body is one, indivisible, and permanent.

XL. Its session is for a year.

XLI. It meets the first of July.

XLII. The National Assembly cannot be constituted if it do not consist of one more than the half of the Deputies.

XLIII. The Deputies cannot be examined, accused, or tried at any time, for the opinions they have delivered in the Legislative Body.

XLIV. They may, for a criminal act, be seized *en flagrant délit*; but a warrant of arrest, or a warrant summoning to appear, cannot be granted against them unless authorised by the Legislative Body.

HOLDING OF THE SITTINGS OF THE LEGISLATIVE BODY.

XLV. The sittings of the National Assembly are public.

XLVI. The minutes of its sittings are printed.

XLVII. It cannot deliberate, if it be not composed of two hundred members at the least.

XLVIII. It cannot refuse to hear its Members speak in the order in which they have demanded to be heard.

XLIX. It deliberates by a majority of the Members present.

L. Fifty Members have a right to require the *appeal nominal*.

LI. It has the right of censure on the conduct of its Members within itself.

LII. The police appertains to it in the place of its sittings, and in the external circuit which it has determined.

OF THE FUNCTIONS OF THE LEGISLATIVE BODY.

LIII. The Legislative Body proposes laws and passes decrees.

LIV. Under the general name of Laws are comprehended the acts of the Legislative Body concerning

The legislation civil and criminal;

The general administration of the revenues, and of the ordinary expences of the Republic;

The national domains;

The title, the weight, the impression, and the denomination of money;

The nature, the amount, and the collection of contributions;

The declaration of war;

Every new general distribution of the French territory;

The public instruction;

The public honours to the memory of great men.

LV. Under the particular name of *Decrees* are included the acts of the Legislative Body concerning

The annual establishment of the land and sea forces;

The permission or the prohibition of the passage of foreign troops through the French territory;

The introduction of foreign naval forces into the ports of the Republic ;

The measures of general safety and tranquillity ;

The annual and occasional distribution of public succours and works ;

The orders for the fabrication of money of every kind ;

The unforeseen and extraordinary expences ;

The measures local and particular to an administration, a commune, or a kind of public works ;

The defence of the territory ;

The ratification of treaties ;

The nomination and the removal of commanders in chief of armies ;

The prosecution of the responsibility of Members of the Council, and the public functionaries ;

The accusation of persons charged with plots against the general safety of the Republic ;

All change in the partial distribution of the French territory ;

National recompences.

OF THE FORMATION OF THE LAW.

LVI. The plans of Law are preceded by a report

LVII. The discussion cannot be opened, and the law cannot be provisionally resolved upon till fifteen days after the report.

LVIII. The plan is printed, and sent to all the Communes of the Republic, under this title: *Law proposed*.

LIX. Forty days after the sending of the law proposed, if in one more than half of the Departments, the tenth of the Primary Assemblies of each, regularly formed, have not objected to it, the plan is accepted and becomes *law*.

LX. If there be an objection, the Legislative Body convokes the Primary Assemblies.

OF THE ENTITLING OF LAWS AND DECREES.

LXI. Laws, decrees, judgments, and all public acts are entitled: *In the name of the French people*, the ——— year of the French Republic.

OF THE EXECUTIVE COUNCIL.

LXII. There is one Executive Council, composed of twenty-four Members.

LXIII. The Electoral Assembly of each Department nominates one candidate. The Legislative Body chooses the Members of the Council from the general list.

LXIV. One half of it is renewed by each Legislature in the last month of the session.

LXV. The Council is charged with the direction and superintendence of the general Administration. It cannot act but in execution of the laws and decrees of the Legislative Body.

LXVI. It nominates, not of its own body, the Agents in chief of the general Administration of the Republic.

LXVII. The Legislative Body determines the number and the functions of these Agents.

LXVIII. These Agents do not form a Council. They are separated, without any immediate correspondence between them; they exercise no personal authority.

LXIX. The Council nominates, not of its own body, the external Agents of the Republic.

LXX. It negotiates treaties.

LXXI. The Members of Council, in case of malversation, are accused by the Legislative Body.

LXXII. The Council is responsible for the non-execution of laws and decrees, and for abuses which it does not denounce.

LXXIII. It recalls and replaces the Agents in its nomination.

LXXIV. It is bound to denounce them, if there be occasion, before the Judicial Authorities.

OF THE CONNECTION OF THE EXECUTIVE COUNCIL WITH THE LEGISLATIVE BODY.

LXXV. The Executive Council resides near the Legislative Body. It has admittance and a separate seat in the place of sittings.

LXXVI. It is heard as often as it has an account to give.

LXXVII. The Legislative Body calls it into the place of its sittings, in whole or in part, when it thinks fit.

OF THE ADMINISTRATIVE AND MUNICIPAL BODIES.

LXXVIII. There is a Municipal Administration in each commune of the Republic ;

In each district an intermediate Administration ;

In each department a central Administration.

LXXIX. The Municipal Officers are elected by the Assemblies of the Commune.

LXXX. The Administrators are nominated by the Electoral Assemblies of department and district.

LXXXI. The Municipalities and the Administrations are renewed, one half every year.

LXXXII. The Administrators and Municipal Officers have no character of representation ;

They cannot, in any case, modify the acts of the Legislative Body, or suspend the execution of them.

LXXXIII. The Legislative body determines the functions of the Municipal Officers and Administrators, the rules of their subordination, and the penalties they may incur.

LXXXIV. The sittings of Municipalities and Administrations are public.

OF CIVIL JUSTICE.

LXXXV. The code of civil and criminal laws is uniform for all the Republic.

LXXXVI. No infringement can be made of the right which citizens have to cause their differences to be pronounced upon by arbitrators of their choice.

LXXXVII. The decision of these arbitrators is final, if the citizens have not reserved the right of objecting to them.

LXXXVIII. There are Justices of Peace elected by the citizens in circuits determined by the law.

LXXXIX. They conciliate and judge without expence.

XC. Their number and their competence are regulated by the Legislative Body.

XCI. There are public Arbitrators elected by the Electoral Assemblies.

XCII. Their number and their circuits are fixed by the Legislative Body.

XCIII. They take cognizance of disputes which have not been finally terminated by the private Arbitrators or the Justices of Peace.

XCIV. They deliberate in public ;

They give their opinions aloud ;

They pronounce in the last resort, on verbal defences, or simple memorials, without *procedures*, and without expence ;

They assign the reasons of their decisions.

XCV. The Justices of Peace and the Public Arbitrators are elected every year.

OF CRIMINAL JUSTICE.

XCVI. In criminal cases, no citizen can be tried, but on an accusation received by a Jury, or decreed by the Legislative Body ;

The accused have Counsel chosen by themselves, or nominated officially ;

The process is public ;

The fact and the intention are declared by a jury of judgment ;

The punishment is applied by a criminal tribunal.

XCVII. The criminal Judges are elected every year by the Electoral Assemblies.

OF THE TRIBUNAL OF APPEAL.

XCVIII. There is one Tribunal of Appeal for all the Republic.

XCIX. This tribunal does not take cognizance of the merits of the case ;

It pronounces on the violation of forms, and on express contravention of the law.

C. The members of this tribunal are nominated every year by the Electoral Assemblies.

OF PUBLIC CONTRIBUTIONS.

CI. No citizen is exempted from the honourable obligation of contributing to the public charges.

OF THE NATIONAL TREASURY.

CII. The National Treasury is the central point of the receipts and expenses of the Republic.

CIII. It is administered by accountable agents, nominated by the Executive Council.

CIV. These agents are superintended by Commissioners, nominated by the Legislative Body, not of its own members, and responsible for abuses which they do not denounce.

OF ACCOUNTABILITY.

CV. The accounts of the Agents of the national treasury and the Administrators of the public money are given in annually to responsible Commissioners, nominated by the Executive Council.

CVI. These verifiers are superintended by commissioners in the nomination of the Legislative Body, not of its own members, and responsible for errors and abuses which they do not denounce.

The Legislative Body passes the accounts.

OF THE FORCES OF THE REPUBLIC.

CVII. The general force of the Republic is composed of the whole people.

CVIII. The Republic maintains in its pay, even in time of peace, an armed force, by sea and land.

CIX. All the French are soldiers; they are all exercised in the use of arms.

CX. There is no Generalissimo.

CXI. Difference of ranks, their distinctive marks and subordination, subsist only with relation to service, and during its continuance.

CXII. The public force employed for maintaining order and peace in the interior, does not act but on the requisition, in writing, of the constituted authorities.

CXIII. The public force employed against enemies from without, acts under the orders of the Executive Council.

CXIV. No armed body can deliberate.

OF NATIONAL CONVENTIONS.

CXV. If in one more than the half of the Departments, the tenth of the Primary Assemblies of each, regularly formed, demand the revision of the Constitutional Act, or the change of some of its articles, the Legislative Body is bound to convoke all the Primary Assemblies of the Republic, to know if there be ground for a National Convention.

CXVI. The National Convention is formed in the same manner as the Legislatures, and unites in itself their powers.

CXVII. It employs itself, with respect to the Constitution, only on the objects which were the cause of its convocation.

OF THE CORRESPONDENCE OF THE FRENCH REPUBLIC WITH FOREIGN NATIONS.

CXVIII. The French people is the friend and the natural ally of every free people.

CXIX. It does not interfere in the Government of other nations. It does not suffer other nations to interfere in its own.

CXX. It gives an asylum to foreigners banished from their country for the cause of liberty;

It refuses it to tyrants.

CXXI. It does not make peace with an enemy that occupies its territory.

OF THE GUARANTEE OF RIGHTS.

CXXII. The Constitution guarantees to all the French, equality, liberty, safety, property, the public debt, the free exercise of worship, a common instruction, public succours, the indefinite liberty of the press, the right of petition, the right of meeting in popular societies, the enjoyment of all the rights of man.

CXXIII. The French Republic honours loyalty, courage, age, filial piety, misfortune. It puts the deposit of its Constitution under the guard of all the virtues.

CXXIV. The Declaration of Rights and the Constitutional Act are engraven on tables in the bosom of the Legislative Body, and in the public places.

(Signed)

COLLOT D'HERBOIS, President.

DURAND-MAILLANE,
DUCOS,
MEAULLE,
CH. DELACROIX,
GOSSUIN,
P. A. LALOT.

} Secretaries.

The New FRENCH CALENDAR, for the present Year,
commencing September 22.

Names of Months. English.

Term.



AUTUMN

Vindemaire	Vintage Month	from	Sept. 22 to Oct. 21
Brumaire	Fog Month	—	Oct. 22 to Nov. 20
Frumaire	Sleet Month	—	Nov. 21 to Dec. 20.

WINTER

Nivos	Snow Month	—	Dec. 21 to Jan. 19
Pluvios	Rain Month	—	Jan. 20 to Feb. 18
Ventos	Wind Month	—	Feb. 19 to March 20.

SPRING

Germinal	Sprouts Month	—	March 21 to April 19
Floreal	Flowers Month	—	April 20 to May 19
Priareal	Pasture Month	—	May 20 to June 18.

SUMMER

Messidor	Harvest Month	—	June 19 to July 18
Fervidor	Hot Month	—	July 19 to Aug. 17
Fructidor	Fruit Month	—	Aug. 18 to Sept. 16.

Sans Culottides, as Feasts dedicated to

Les Vertus	The Virtues	Sept. 17
Le Genie	Genius	Sept. 18
Le Travail	Labour	Sept. 19
L'Opinion	Opinion	Sept. 20
Les Recompenses	Rewards	Sept. 21.

The intercalary day of every fourth year is to be called *La Sans Culottide*; on which there is to be a national renovation of their oath, "To live free or die." The month is divided into three decades, the days of which are called, from the Latin numerals,

1. *Primidi.* 2. *Duodi.* 3. *Tridi.* 4. *Quartidi.*
5. *Quintidi.* 6. *Sextidi.* 7. *Septidi.* 8. *Octidi.*
9. *Nonodi.* 10. *Decadi*, which is to be the day of rest.

THE END.

